



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

BOARD/COMMITTEE: Planning Board
MEETING DATE: August 31, 2020
TIME: 7:00 PM
PLACE: Remote Meeting through Zoom

AGENDA

Public Comment (3 mins per commenter)

Review Decisions

700, 750, & 800 Massachusetts Avenue Site Plan Modification #1

Review Submittals

700, 750, & 800 Massachusetts Avenue - Discussion of 8/17/20 Enclave at Boxborough Submittal – Landscape Plans revised 08/10/20

7:30 Public Hearing

700, 750, & 800 Massachusetts Avenue – Scenic Road, Public Shade Tree, and Stone Wall Application

Cisco Campus Discussion

Working Group

Mixed Use Zoning- A Planner's Guide

Discussion of Memorandum of Understanding (MOU) regarding administrative direction for the Town Planner

Administrative Business

Meeting Minutes

Correspondence and New Business (if any)

Town Center/Enclave Project

Zoning Bylaw Audit

Planning Board Training

Solar Bylaw

Planning Board Rules and Regulations

Municipal Vulnerability Preparedness Project Grant

Racial Equity Municipal Action Plan Grant

Housing Choice Administrative Bill

MassDevelopment Technical Assistance Grant

Committee Reports: Community Preservation Committee (Lazarow)

Design Review Board (Verner)

Economic Development Committee (White)

MAGIC Representative (Markowitz)

Water Resources (Barbadoro)
LELWD Small Cell Committee (Markowitz)
Building Committee - TBD

Planning Board Goals:

- Funding – TAP Grants and other Grant Opportunities
- Master Plan Action Items Status - Aspirations 4,5,6, and 7
 - November 9, 2020 Joint Meeting with Select Board

<u>Planning Board Meetings:</u> September 21 October 5	<u>Future Meeting Dates:</u> October 19 November 9
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Join Zoom Meeting

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**TOWN OF BOXBOROUGH
PLANNING BOARD**

29 Middle Road, Boxborough, Massachusetts 01719
Phone (978) 264-1723 • Fax (978) 264-3127
www.boxborough-ma.gov

Cindy Markowitz, Chair • Mark White, Clerk • Mark Barbadoro • Robin Lazarow • Rebecca Verner

Approved on [DATE]

**Meeting Minutes
June 29, 2020
5:45 PM
Remote Meeting**

Members Present: Cindy Markowitz, Mark White, Rebecca Verner, Robin Lazarow

Also Present: Simon Corson (Town Planner)

Ms. Markowitz called the meeting to order at 5:45 PM.

Minutes

Ms. Markowitz motioned to approve May 18, 2020 Meeting Minutes as amended. **Approved: 4-0.** Roll Call: Ms. Markowitz, yes; Ms. Verner, yes; Mr. White, yes; Ms. Lazarow, yes.

Ms. Verner motioned to approve June 1, 2020 Meeting Minutes as amended. **Approved: 4-0.** Roll Call: Ms. Markowitz, yes; Ms. Verner, yes; Mr. White, yes; Ms. Lazarow, yes.

Review Town Meeting Warrant Articles

Ms. Markowitz discussed the Town of Boxborough hosting Annual Town Meeting 2020 at the Boxboro Regency Hotel. Several members discussed the challenges of hosting an indoor public event during the COVID-19 crisis. The Board conversed about the format of Town Meeting, and affirmed that Ms. Verner would make a presentation to Article 42.

Mr. White motioned to adjourn the meeting. Seconded by Ms. Verner. **Approved: 4-0.** Roll Call: Markowitz “aye,” Verner “aye,” Lazarow “aye,” White “aye.”

Meeting Documents

2020 Annual Town Meeting Warrant – June 29, 2020



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Cindy Markowitz, Chair • Mark White, Clerk • Mark Barbadoro • Robin Lazarow • Rebecca Verner

Approved on [DATE]

**Meeting Minutes
July 1, 2020
7:00 PM
Remote Meeting**

Members Present: Cindy Markowitz, Mark White, Rebecca Verner, Mark Barbadoro, Robin Lazarow

Also Present: Simon Corson (Town Planner)

Ms. Markowitz called the meeting to order at 7:00 PM.

Planning Board Training

Attorney Adam Costa from Mead, Talerman & Costa, LLC. delivered a training on the scope of authority, process, and procedure of the Boxborough Planning Board.

The topics discussed were powers and duties, meeting procedures, and deliberation and decision making.

Mr. White motioned to adjourn the meeting. Seconded by Ms. Verner. **Approved: 5-0.** Roll Call: Markowitz “aye,” Verner “aye,” Lazarow “aye,” Barbadoro “aye,” White “aye.”

Meeting Documents

Workshop on Scope of Authority, Process and Procedure – Boxborough Planning Board



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Cindy Markowitz, Chair Mark White, Clerk Mark Barbadoro Robin Lazarow Rebecca Verner

Approved on _____, 2020

**Meeting Minutes
July 13, 2020
7:00PM
Remote Meeting**

Members Present: Cindy Markowitz, Mark Barbadoro, Robin Lazarow, Rebecca Verner, Mark White

Also Present: Simon Corson (Town Planner)

Ms. Markowitz called the meeting to order at 7:00 PM by roll call vote, all voted aye.

The Board discussed future meeting dates and approved as follows:

August 3 with alternate August 10, September 21, October 5 and October 19, November 9 and November 23, and December 7, 2020; January 11 and January 25, 2020.

Simon advised that the new recording secretary will start at the meeting on August 3 or 10.

Discussion of Zoning Bylaw Audit

Simon noted there was still no contract.

Discussion of Planning Board Training

All members attended. The training was well received and deemed useful. The Board hopes to do more.

Discussion of Solar Zoning Scope of Work Regulations Grant Application

Rebeca volunteered to work with Simon on the Grant. They will draft a concept and reach out to other boards. Planning Board is generally in favor of a bylaw and moving forward with a Grant application.

They hope to see an application submitted in the coming 3 to 4 weeks.

Committee Reports:

Design Review Board: No update

Economic Development Committee: No update

MAGIC: No update

Water Resources Committee: No update

Small Cell: No update

Building Committee: Feasibility study passed over at ATM; no update.

Discussion Alternate Member for the Board:

Board members will attempt to recruit a second alternate. Simon will verify if the Board is allowed more than one alternate. Mark Barbadoro will confirm with Joe if he is still interested in continuing as an Alternate.

7:44 PM Board began review of recent submittals from Applicant Documents (comprehensive list of documents should be attached to the minutes) Specifically reviewed Cover letter dated June 24, 2020 from Ducharme & Dillis (D&D) and June 25, 2020 Itemized Responses.

The Board requested the applicant add notes to the drawings indicating Dark Sky compliance. The Board requested Toll Brothers provide the Site line triangle on the Site Plan, not just the Landscape Plans. The Board requested quantitative responses as opposed to qualitative responses from D&D regarding drainage for riprap areas adjacent to the Biron's. Simon will run the question by D&D and give copies to Places Associates.

Planner Update:

Simon is expecting more frequent inspections by Places as the work proceeds. He is comfortable that the final endorsement of the Plans can occur within a month and will make sure the final Site Plans reflect all decisions made and hopes to have final plans for signature.

Planning Board Articles Debrief:

The Board reviewed the presentation of their articles at ATM, primarily discussion of take-out and fast food discussions at ATM and take-aways of the Board.

EDC Pre-meeting discussion:

The Board briefly discussed strategies going into planned joint meeting with EDC. Board wonders if there will be a Capacity Study as part of the UMass deliverables.

9:30 Motion was made by Mark Barbadoro, seconded by Rebecca and voted unanimously by roll call e to adjourn.

Meeting Documents

Draft Meeting Minutes, June 15, 2020

Tentative Planning Board Schedule June 2020 – January 2021

Boxborough Economic Development Study Phase 1 Technical Memo, UMass LARP, December, 2019

Master Plan Goals Status

MAPC Draft Scope of Work for Technical Assistance for Solar Bylaw, January 7, 2019

Enclave Documents:

June 24, 2020 Cover letter from Ducharme & Dillis

Post Development Stormwater Calculations, Ducharme & Dillis, 6/21/20

Post Development Watershed Map Ducharme & Dillis - Rev 6/15/20

Letter Response to Planning Board Comment letter

Updated Landscape Plans ESE Consultants Rev 6/17/20

Updated site plans Ducharme & Dillis, Rev 6/15/20

Letter from Ducharme & Dillis RE: Stormwater Calculations for Design Points A and B, 7/9/20

Letter from Places Associates, July 9, 2020 Re: Review of Drainage Calculations and Plan Revisions

Email Correspondence from C. Markowitz to S. Corson re: Rip rap and stormwater calculations behind 539 Burroughs Road. 7/9/20

Email Correspondence from Susan Carter, Places Associates to S. Corson re: Rip rap and stormwater calculations behind 539 Burroughs Road 7/9/20

Response from Toll Brothers dated 6/25/20 to Planning Board Comments on Enclave from 5/29/20



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Cindy Markowitz, Chair Mark White, Clerk Mark Barbadoro Robin Lazarow Rebecca Verner

Approved on _____, 2020

**Meeting Minutes
July 16, 2020
7:50 PM
Remote Meeting**

VIA ZOOM – JOINT MEETING WITH ECONOMIC DEVELOPMENT COMMITTEE (EDC)

Planning Board Members Present: Cindy Markowitz, Mark Barbadoro, Rebecca Verner, Robin Lazarow, Mark White

Also Present: Simon Corson (Town Planner)

Also Present from EDC: Rich Guzzardi, Joseph Ferguson, Kristin Hilberg, Nate McKinley, Mark White, Becky Neville, John Markiewicz (Select Board representative to the EDC)

Absent from EDC: Dawn Willis, John Neyland, Susan Bak

Several members of the public were also present as were representatives of the Select Board and other committees.

Ms. Markowitz called the meeting to order at 7:50 PM at which time the joint agenda discussion with the EDC began.

Mr. Guzzardi Opening Remarks

Mr. Guzzardi welcomed the Planning Board. He expressed that what EDC is looking to do spans across boards. EDC is looking to keep the dialogue open and part of their outreach is to meet with the Planning Board.

Annual Town Meeting Debrief

The EDC and Planning Boards discussed the recent Annual Town Meeting (ATM) and Mr. Guzzardi congratulated the Planning Board on the zoning changes approved at ATM. There was discussion about the several amendments presented by members of the public at ATM to the proposed zoning by-law definition of Specialty Foods. The proposed amendments related to modifying the Specialty Foods definition to allow drive-through windows and curbside pickup. Those amendments were defeated but the sentiment was noted and discussed. Ms. Neville confirmed that the amendments were proposed as a result of the current COVID pandemic. Ms. Neyland mentioned that town counsel is looking into curbside pickup rules and regulations and will issue clarifying guidance to the Select Board so that there is a better understanding as to what is currently permissible.

Phase 1 Boxborough Economic Development Study from UMASS

The Boards discussed the technical report contents, conclusions and the four potential development scenarios included in the report, namely (1) current state; (2) agricultural-rural; (3) village style; and (4) comprehensive development.

Mr. Barbadoro mentioned that there were some inaccuracies in the UMASS report. Mr. Guzzardi said he would reach out to UMASS to request that they update the report and correct any inaccuracies, which they would more likely do in Phase II of the Study. Mr. Barbadoro also commented that with regard to the four scenarios presented in the report, it might be best to be able to pick and choose among the various scenarios—take the best of each as a for instance. He pointed out that per the 2030 Master Plan, town residents prefer character of the town over development by a margin of 2:1. He also noted that the Planning Board is charged with weighing the interest of the town with economic development in any new proposed by-law. Mr. White commented that the intent was never to have four segregated development scenarios -- it was the intent that Boxborough would pick and choose. Mr. Markiewicz commented that people in town want to preserve the character of the town and would pay extra taxes for that, the UMASS study fits the 2030 Master Plan, the area near the hotel would be a good place to offer services to the public who live in town and who travel through town, additional public input is needed on the four scenarios outlined by UMASS and any zoning changes will need public support.

Next Steps Regarding UMASS Study

Mr. Guzzardi discussed with the EDC and Planning Board that the next step in the UMASS study would be to educate the public through an improved website, opening voice overs to describe the four scenarios and social media. The second step is to proceed with the charrettes (public feedback sessions). However, UMASS is going virtual in the Fall and face to face meetings with the public will not likely be possible in the Fall. However, the EDC does want to keep the momentum and not lose focus. To that end, UMASS and the EDC will be discussing how to get the public's input via live feedback sessions. Mr. Guzzardi asked Simon to reach out to UMASS to discuss in detail. Ms. Lazarow raised the issue of the impact of COVID on the UMASS study, and whether they have/will take that into account. Mr. Guzzardi mentioned that the impact of COVID may come up in the Market Assessment portion of the Phase 2 study. It was discussed and agreed that the Planning Board should be involved in the formulation of the questions for the online charettes, and in the process in general. EDC and Planning Board expressed a desire to work together to make the process successful.

Comments from Public

Ms. Neyland mentioned the library as a potential resource for hosting the charettes. She also mentioned that the Select Board is also looking at putting together a committee to look at equality and inclusiveness for housing. These are goals that will need to be considered.

Ms. Nolde mentioned that the Sustainability Committee would like to be included in the process. Ms. Salzman agreed and commented that sustainability needs to be a focus of any future plans.

Mr. Fortmiller suggested looking carefully at Phase 1 and then at how we will be living in the next six months to a year. Some assumptions made pre-COVID may need further consideration. We will need to think carefully about how the COVID pandemic will continue to impact Boxborough.

Beyond Phase II (Charettes)

Ms. Markowitz asked Mr. Guzzardi whether there was a timeline in mind beyond the charettes for completing the UMASS study. Mr. Guzzardi replied that the EDC is focused on the low hanging fruit i.e., small changes that can be done first toward the objectives, that the EDC could recommend for consideration at the next ATM. He mentioned that the EDC is still working on a long-range economic development plan as part of the 2030 Master Plan. Zoning and infrastructure are items that will need to be addressed according to Mr. Guzzardi. Ms. Markowitz stated that the Planning Board is focused on the Action Items associated with the Implementation Plan for the 2030 Master Plan.

Other Business

The Planning Board remained in session while the EDC conducted additional business. They discussed the merits of creating a one-page “Doing business in Boxborough Guide” to help prospective businesses understand the permitting processes in town.

Mr. Barbadoro made a motion to close the Planning Board meeting. Ms. Lazarow seconded. All Planning Board members voted in favor. Meeting was adjourned at 9:30 P.M.

Minutes prepared by: Robin Lazarow

Meeting Documents

Boxborough Economic Development Study – Phase 1 Technical Memo



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Cindy Markowitz, Chair • Mark White, Clerk • Mark Barbadoro • Robin Lazarow • Rebecca Verner

Approved on [DATE]

Meeting Minutes August 3, 2020 7:00 PM Remote Meeting

Members Present: Cindy Markowitz, Mark White, Mark Barbadoro, Rebecca Verner, and Rebecca Lazaro

Also Present: Simon Corson (Town Planner), Sue Carter (Town Engineer), and Kristan Patenaude (Recording Secretary)

Also present from the Enclave Team: Shawn Nuckolls, Dave Buckley, and Ryan Vickers

Several members of the public were also present

Ms. Markowitz called the meeting to order at 7:00 PM.

Administrative Business

Finalize Future Meeting Schedule

Ms. Markowitz noted that the Planning Board will have their next meeting on August 31, 2020.

Welcome Recording Secretary Kristan Patenaude

The Planning Board welcomed new Recording Secretary, Kristan Patenaude. Ms. Patenaude lives in Amherst, New Hampshire and joins the group via Zoom.

Town Center/Enclave Project

Ms. Markowitz explained that the group recently received a number of documents for the project, including a cover letter from Ducharme & Dillis, revised site plans, revised landscape plans, and clubhouse plans. She explained that, in July 24, 2020, letter, Ducharme & Dillis addressed some comments made by the Planning Board including:

1. The Planning Board has requested more information on the unit walkways.
 - a. *All unit walkways will be of impervious materials and these have been calculated in the drainage calculations as impervious*
2. The Planning Board has requested the types of streetlights being used are noted on the plan
 - a. *The Streetlight specifications are noted on Landscape Plan sheet SD09.07*

3. The Planning Board requests a note be added to the site plan stating “all proposed lighting is Dark Sky Compliant” in accordance with condition 11 of the Site Plan Approval

a. A note (3.5) has been added to plan sheet C1.1 and on Landscape Plan sheet SD09.07.

4. The Planning Board requests the sight line triangle be added to the Site Plans or Landscape Plans

a. The site line distance has been previously included on Landscape Plan sheet SD09.06. The site line triangle has been added to plan sheet C8.11.

5. The Planning Board asked about landscaping changes made to add Green Giant arborvitae into the plant mix for the buffers at 539 and 571 Burroughs Road and why these changes were not applied to the buffer area between Sherriff’s Meadow and Tisbury Meadow.

a. The buffer areas at Sherriff’s Meadow and Tisbury Meadow were updated based on direction provided by the Design Review Board. This area has some existing buffer and is not as bare as the area noted around 539 & 571 Burroughs Road. The number of plants and species currently specified are more appropriate for this area than the Green Giants.

Shawn Nuckolls explained that, regarding item #3, all of the light fixtures will be dark sky compliant. It was discovered that the previously suggested landscape uplighting is not compliant; it has since been removed from the plan.

Rebecca Verner noted that, regarding item #5, the screening behind Sherriff’s Meadow and Tisbury Meadow is not in question. The item specifically addresses landscaping changes behind units 37-40 to the property line.

Mr. Nuckolls explained that this is a fairly heavily wooded area, so additional plantings in this area were not thought necessary.

Ms. Verner stated that winter screening will be important in this area. The particular plant, Green Giant, suggested gives good screening at the ground level. This is not being suggested as an additional planting, but as a replacement for a line of pines in the area.

In response to a question from Mr. Nuckolls, Ms. Verner explained that these plantings should be clustered behind the units and neighboring parcels; three here or four there.

In response to a question from Ms. Markowitz, Mr. Nuckolls explained that the plantings will be done at the appropriate time. He would like for the irrigation on site to be running first. He is willing to have a walkthrough of the area with interested parties once the potential plantings sites are staked and the plantings are ready to go in. The plantings will go in at the right time and when irrigation is available on site. In the best case, this will happen in the fall, but the plantings may happen in the spring.

Ms. Verner noted that spring for the plantings makes sense, based on the heavy construction going on in the area currently.

In response to a question from Ms. Markowitz, Mr. Nuckolls explained that the new access road is partially paved. The existing driveway will have its first 100’ or so milled and repaved. Tree plantings

in the access road area are about 90% complete. There are no crosswalks in the access way yet; these will be completed once the driveway has been milled and paved.

Ms. Markowitz noted that, initially, the plan was to have the work done in three months. Mr. Nuckolls explained that the paving top coat could still be done this season. Mr. Nuckolls explained that he was unclear if the three month window included the top coat or not. Ms. Markowitz noted that the three months completion included everything except the landscaping. She believes that the agreement includes the road work with a base coat, at least, but would need to double check. She is concerned that this change will be an interruption to the abutters. She wants the team to come back to the Board with a timeframe for the work and the potential impact.

Mr. Nuckolls explained that there is about a two day window for when the work will be completed, once started. He believes it makes sense for the binder to settle over the winter and complete the top coat in the spring.

Ms. Markowitz asked that this information be put in a memo to the Board.

Ryan Vickers explained that three new sheets have been added to the plan, ahead of the scenic road, stone wall, and public shade tree public hearing.

Ms. Markowitz explained that the applicant had a traffic study done last year and, as a result, there were slight distances included in the site lines for Stow Road, and additional distances for elderly drivers to allow for sufficient visibility.

In response to a question from Ms. Verner, Mr. Vickers explained that there is a note on the plan describing the driver clearance zone from where the driver is sitting.

In response to a question from Mark White, Sue Carter stated that the plan is in compliance with AASHTO standards.

In response to a question from Ms. Lazarow, Ms. Carter explained that the sight line distances listed in the plan are more than the minimum required by AASHTO standards.

In response to a question from Ms. Markowitz, Ms. Carter stated that this is an in-progress report. There will be a test of the sight distance before finishing the area, so that adjustments can be made as necessary.

Ms. Markowitz noted that the final recommendations for the clubhouse have not yet been received from the Design Review Board. Mr. Nuckolls explained that another look was taken at the clubhouse design. A modification was made to expand the clubhouse size from 1,800 square feet to 2,000 square feet. The layout for outdoor amenities has also been adjusted, including a change in the pool layout, the addition of a grassy area, fire pit, and increased landscaping. These changes have led to five additional sheets added to the landscaping plan, devoted to the clubhouse area. He explained that the design revisions recommended by the Design Review Board will be considered and incorporated into the plan set submitted to the Planning Board. The lighting items for the clubhouse will be dark sky compliant. He still needs to confirm the appropriate ADA and handicap accessibility. The impervious areas on site have been reduced by about 3,400 square feet over what we previously submitted. The increased amount of landscaping includes 18 trees, 160 shrubs, perennials, and annual grasses.

In response to a question from Ms. Markowitz, Mr. Nuckolls stated that the number of total parking spaces has not changed.

Ms. Verner stated that she has some concerns that the building size has grown, but also likes the increased amount of landscaping, the additional screening/privacy, and the ornamental materials. She explained that the Design Review Board will meet on Thursday to review the additions to the plan set.

Ms. Markowitz and Mr. Nuckolls discussed that exact number of square feet for the clubhouse (1,996 square feet)

In response to a question from Mr. Barbadoro, Mr. Nuckolls explained that the pool will be handicap accessible. There is no final design for this yet, but the pool will either have a walk-in area or accessibility by another device.

In response to a question from Ms. Lazarow, Mr. Nuckolls stated the chairs around the outside of the pool area will be on the stamped concrete

Mr. White moved to approve the modifications for the clubhouse design, pending the Design Review Board Report and condition on any recommendations they might make. Ms Verner seconded. Motion passed unanimously 5-0.

Ms. Markowitz explained that a new letter was received today in regard to questions the Board rose regarding drainage and post-drainage watershed items. Mr. White stated that he would have liked to have received a copy of the new letter in an email.

Simon Corson explained that he discussed this item with Mr. Vickers, who went through the item with Ms. Carter. He asked that the Board hear Mr. Vickers' response to the questions from the letter.

Mr. Vickers explained that the pre-developed watershed analysis for the site discovered that it drains to a northern wetland (design point A) and a low point to the south (design point B). The original plan looked to shave some of the area off and send the stormwater to infiltration basins using swales. The riprap area on site drains to the south. He explained that the minor amount of increase in post development flow is so minor, 1/100th cubic flow/sec, it is beyond the accuracy the model used can predict. This is why the plan has a footnote that stipulates a minuscule increase from pre to post-development, but, given the accuracy of the model, he truly doesn't believe there will be an increase in flow. He explained that he and Ms. Carter wanted to try to look at this in a more accurate way. In the original model, the ground cover was specified as woods of good quality. It was determined that these woods are not really of 'good' quality. The HydroCAD model was tweaked to list these woods as being of fair quality: little to no leaf litter, fair coverage, and slight herbaceous growth. In rerunning the pre/post-development analysis, the model then showed a net decrease in runoff from pre to post-development. The new results are quite conservative to show a reduction in the post-development flow.

In response to a question from Ms. Markowitz, Mr. Vickers stated that the area around design point B is not a specific area.

In response to a question from Ms. Markowitz, Mr. Vickers explained that elevation 366 is the top of a hill, and that there will be grading built into the area to the north to drain to the infiltration basin.

In response to a question from Ms. Markowitz, Mr. Vickers and Ms. Carter agreed that the post-development model shows a lesser flow to the southern property line.

In response to a question from Ms. Lazarow, Mr. Vickers explained that the 'fair' assessment for the woods area was changed in both the pre and post-development models due to it being an existing woodline.

In response to a question from Ms. Markowitz, Ms. Carter explained that the neighboring abutters will not notice any change due to the spread of flow being spread across such a distance. There is such a small amount of flow here that it was hard for the model to quantify it. If abutters do notice an issue, then the construction is not in compliance with the site plan.

In response to a comment from Ms. Verner regarding the fact that some of the forest area has been clearcut to the property line, Mr. Vickers explained that the forest area there is quite sparse, which leads to it being classified as 'fair.'

In response to a question from Ms. Verner, Mr. Vickers explained that he has been looking at the areas of stone wall and tree impact with Ed Kukkula, DPW Tree Warden; Mr. Corson; Ms. Carter; Bentley Herget, Zoning Enforcement Officer; and Greg Roy, Ducharme & Dillis engineer. In regards to the extent Stow Road will be disrupted, about 1-2' of the road will need to be milled and repaved. The Tree Warden looked at about seven trees along the road that are mostly dead, hazardous, and will probably be removed. He mentioned that there is about 300 linear feet of potential stone wall reconstruction that will all be completed in accordance with the permit.

Ms. Carter explained that a 5' sidewalk is being proposed because it will be ADA compliant and compliant with the town's plowing equipment.

Mr. Corson stated that the Planning Board may choose to endorse the final site plans at its August 31, 2020, meeting, and incorporate all of the modifications as voted on. Ms. Markowitz explained that she didn't want to commit to anything for the August 31st meeting until all of the Board questions have been addressed.

In response to a question from Ms. Markowitz, Mr. Vickers stated that, currently, the work on the entrance is about done and that's where the bulk of the manpower for the project is.

In response to a comment from Ms. Markowitz regarding correspondence from the abutters about stone dust, Mr. Corson explained that it has been very hot recently. The rough grading and stone crushing being done on site has created a lot of dust. The Building Official has been on site a lot this week with reminders to keep watering the stone crushing area to mitigate the issue. The Building Department is working to be proactive with respect to abutters and responding accordingly with the property owner and workers.

The Planning Board thanked the Enclave team for being present at the meeting.

Meeting Minutes

Rebecca Verner motioned to approve the July 16, 2020 Planning Board meeting minutes as submitted. Mark Barbadoro seconded. Motion passed unanimously 5-0.

Correspondence and New Business

Mr. Corson explained that the bill regarding Housing Choice Legislation has two versions: a Senate version and a House version. The Senate version has a controversial piece in it that would require communities within the MBTA region to mandate a multi-family district with certain density requirements. The Massachusetts Municipal Association does not support the Senate version of this bill. There is a penalty as part of the Senate bill that will make towns ineligible for state grants and funding opportunities. The Massachusetts Municipal Association recommends the House version. He questioned if the Planning Board would like to show a united front on this issue and possibly write a letter of support.

Ms. Markowitz stated that the CHAPA website does a great job at laying out the differences between the two bill versions. She asked that Mr. Corson keep the Board apprised of this item.

Ms. Markowitz stated that Cisco has recently accounted that it will be selling its property within a year. The town is currently in discussions to determine if Cisco will work with the town on the sale. The Board may have future discussions about this topic.

Zoning Bylaw Audit

Mr. Corson stated that he had a conversation with the Town Administrator on this item. He will draft a cover letter and come back to the Board with it. As some of the other grants he's currently managing come to an end, he'll have more time to put towards this.

Ms. Markowitz explained that this is not a grant, but an award authorized by Town Meeting for up to \$10,000.

In response to a question from Mr. White, Mr. Corson stated that this project is currently on the Town Administrator's plate to sign the scope of work for this project.

Ms. Markowitz stated that this is a time sensitive project, as there could be zoning bylaw changes that come from the audit. The audit could take about 3-4 months, and she believes the information for potential bylaw changes would be wanted for the spring public hearings. The consultant was ready weeks ago and she would like this expedited.

Planning Board Training

In response to a question from Ms. Markowitz, Mr. Corson stated that he hasn't yet heard back from Attorney Adam Costa on this. Ms. Markowitz stated that she would like for Joe Ferguson, of the Economic Development Committee, to attend some meetings.

Solar Bylaw

Mr. Corson explained that he reached out to MAPC. The best idea is to get an application in on a rolling basis and MAPC will get back to the Board if awarded a grant. The Board should review a project concept and he will submit an application with a narrative from the Board.

In response to a question from Ms. Markowitz, Mr. Corson stated that he will review an existing project concept for the Board. Ms. Verner stated that she will review the existing concept as well. Ms.

Markowitz stated that marijuana references should be removed from the existing concept and a scope of the proposed work should be attached. Mr. Corson stated that he would make those changes and send to Ms. Verner for her review.

Planning Board Rules and Regulations

In response to a question from Ms. Markowitz, Mr. Corson stated that he would work with the Chair to get an outline and draft for this document. He explained that he plans to adapt the document from another community and will work to have a draft ready for the August 31st meeting. This is one of his goals for the year and he believes this will be a critical tool for the Board. Ms. Markowitz stated that the Town of Shirley's regulations seem clear and simple. It may be possible to use these as a template for a strong framework.

Municipal Vulnerability Preparedness Project Grant

Ms. Markowitz explained that Phase I of this grant was \$15,000 for educational purposes.

Mr. Corson stated that Phase II of this grant deals with vehicle infrastructure, climate change, etc. He would like to consult with the core team and work on the workshop, which is the last piece for the grant. The Planning Board and public will be invited to this workshop. It will be important for the critical voices in the room during the workshop to discuss the social and environmental vulnerabilities and physical characteristics of Boxborough. The workshop will report potential consensus building activities under the umbrella of general sustainability items for the town.

Committee Reports

Community Preservation Committee (Lazarow) - Nothing new to report; the Committee will meet in early September.

Design Review Board (Verner) - The Design Review Board met a couple of weeks ago to discuss the Enclave submission. It will meet again on Thursday to review any new changes to the submission. The group received correspondence from an abutter to the entry road regarding the installation of a fence.

Economic Development Committee (White) - The group is consumed with the Cisco news. There is a thought to refocus the UMASS study on the Cisco property and what the town might do with it. The Committee will meet next week with UMASS to get better information.

MAGIC Representative (Markowitz) - Nothing new to report; the Committee will gear up again in September.

Water Resources Committee (Barbadoro) - Nothing new to report; the group will set a meeting soon.

LELWD Small Cell Committee (Markowitz) - Mr. Corson stated that he met with Dave Ketchen, Assistant Manager at Littleton Light, regarding the finished document and standards for 5G. He will distribute these documents to the Board. He asked Mr. Ketchen to put together the technical and aesthetic standards for 5G to share with the group. He would then like to have a zoom meeting with himself, Mr. Ketchen and Ms. Markowitz.

Ms. Markowitz explained that the technical documents have been shared. She is more interested in the aesthetic jurisdiction on right-of-way items. 5G would require 3'x3' boxes to be placed on poles, with antennas that go above the current telephone poles. If installed along the right-of-way, these boxes would need to be located every 300-500'. She would like to get back involved in this project, along with Wes Fowlks, of the Select Board.

Building Committee (TBD) - Nothing new to report; there is no Building Committee rep yet.

Planning Board Goals:

Funding - TAP Grants and other Grant Opportunities

Ms. Markowitz stated that she would like this left as an agenda item.

Master Plan Action Item Status - Aspirations 4, 5, 6, and 7

November 9, 2020 Joint Meeting with Select Board

Ms. Markowitz explained that the Planning Board should either lead or coordinate the entities on the spreadsheet. The Board updated the Select Board in January regarding Aspirations 1, 2, and 3. The Board will speak with the Select Board regarding Aspirations 5, 6, 7, and 8 at a joint meeting on November 9, 2020. She will email all Boards and Committees with action items so that they can each speak to their statuses on these items. The Planning Board should look through the Master Plan Implementation Plan regarding the goals in order to redirect its efforts.

Public Comment

Ms. Markowitz noted that there were no hands raised.

Mr. Corson mentioned that he looked up the email from Liz Nichols. She has had a number of conversations with Bentley Herget. The Town Center plan has been reviewed with her and it seems that her concerns are satisfied.

Ms. Verner explained that an abutter letter addressed a concern regarding the split rail fence installed at the entrance way. Enclave installed vertical columns further apart than shown on the plan. The horizontal columns were then applied to the back of these columns and face the abutting properties. This is not as it was shown in the plan and leaves strange shadow lines. There are a lot of plantings behind this fence. She noted that, apparently, Mr. Corson spoke with the abutter and the abutter is now satisfied.

Ms. Markowitz asked if the Board is okay with the minor construction item being built not as it was approved in the plan drawings. Ms. Verner stated that the Design Review Board reviewed the precedent image, but not details on the fence layout. Comments weren't given because the group thought the fence would be built as presented.

In response to a question from Mr. Barbadoro, Ms. Verner explained that the horizontal posts were applied to the back of the fence. The posts do not appear to be morticed in, but simply applied to the back. She does not believe the installation followed the precedent as it was reviewed.

In response to a question from Mr. White, Ms. Verner stated that the fence is located along the entry way. Mr. White suggested that Board members drive by the see for themselves. Mr. Corson explained that the Building Official can take action if the fence is in violation. The Board agreed to review the precedent drawings, drive by the fence, and discuss this further at its next meeting.

Mr. White motioned to adjourn the meeting. Seconded by Mr. Barbadoro. Approved unanimously 5-0 at 9:06PM.

Meeting Documents

This meeting was conducted via Remote Participation, pursuant to the Current Executive Order.

Zoom Access Protocols

Join Zoom Meeting: <https://us02web.zoom.us/j/83291836938>

Meeting ID: 832 9183 6938

One Tap Mobile: +13017158592,,83291836938# US (Germantown) +13126266799,,83291836938#
US (Chicago)



TOWN OF BOXBOROUGH DESIGN REVIEW BOARD

BOARD/COMMITTEE: Design Review Board
MEETING DATE: 06 August 2020
TIME: 6:30 PM
PLACE: Via Zoom Remote Meeting

MEMORANDUM

Date of Issuance: 21 August 2020
To: Town of Boxborough Planning Board
Project: 700, 750 & 800 Massachusetts Avenue - *The Enclave at Boxborough*
Subject: Design Review Board Application dated 9 July 2020 – Supplemental Documentation for the Community Clubhouse Building

Planning Board Members,

This memorandum serves as a summary of the July 23rd and August 6th 2020 Design Review Board assessments of 700, 750, & 800 Massachusetts Avenue – The Enclave at Boxborough. This document shall also serve as a written recommendation to the Planning Board on said project application.

On the 23rd of July 2020, the Design Review Board met to review the following documents for 700, 750 & 800 Massachusetts Avenue:

1. Design Review Board Application - dated 9 July 2020
2. "Clubhouse_PLAN 070820" – dated 8 July 2020
3. "Clubhouse Materials 070920" – dated 9 July 2020
4. "3961-CH-LAND-PlanSet" – dated 17 June 2020

Following the Board's review of the above-mentioned documentation for the Enclave at Boxborough Community Clubhouse Building, the Design Review Board requested the following supplemental documentation from the Applicant:

1. *Front Elevation - (See document titled "Clubhouse_PLAN 070820" prepared by Toll Bros., sheet 2 of 7 "Front Elevation" dated 07.08.2020)*

The Board has requested updated architectural drawings eliminating the varying roof angles above the upper dormer windows in the middle roof composition. The Board has requested a simple, consistent roof edge.

2. *Front + Rear Elevation – (See document titled “Clubhouse_PLAN 070820” prepared by Toll Bros., sheet 2 and 3 of 7 “Front Elevation” and “Rear Elevation” dated 07.08.2020)*

The Board has requested updated architectural drawings reducing the overall height of the center roof line by +/- 2'. Roof angles should be more closely in harmony with each other on the Clubhouse.

3. *Lighting – (See document titled “3961-CH-LAND-PlanSet” prepared by ESE Consultants, sheet 3 of 5 “Clubhouse Lighting” dated 06.17.2020)*

The Board has requested that the Applicant provide lighting specifications reflecting “Dark Sky” compliance.

4. *Lighting – (See document titled “3961-CH-LAND-PlanSet” prepared by ESE Consultants, sheet 3 of 5 “Clubhouse Lighting” dated 06.17.2020)*

The Board has requested that the Applicant correct the mislabeled uprights and path lights as they both shared the same graphic symbol in plan.

5. *Lighting – (See document titled “3961-CH-LAND-PlanSet” prepared by ESE Consultants, sheet 3 of 5 “Clubhouse Lighting” dated 06.17.2020)*

The Board has requested that the Applicant reflect architectural lighting for the outdoor pavilion on the pool terrace in plan.

6. *Handicap Accessibility – (See document titled “3961-CH-LAND-PlanSet” prepared by ESE Consultants, sheet 2 of 5 “Clubhouse Layout and Materials” dated 06.17.2020)*

The Board has requested that the Applicant reflect an ADA compliant handicap ramp accessible to the side walk leading to the Clubhouse, Mailboxes and other Community Amenities from the handicap parking spot in the Clubhouse parking area.

On the 6th of August 2020, the Design Review Board reconvened once again to review received supplemental documentation for 700, 750 & 800 Massachusetts Avenue as follows:

1. “DRB Response Letter 072820” - dated 28 July 2020
2. “Boxborough Clubhouse 072820” – dated 24 July 2020
3. “3961-CH-SUBMIT-2020-07-24” – dated 17 June 2020 with a revision date of 24 July 2020

Design Review Board Recommendation:

Per the Board's requests, the following revisions have been agreed to and made by the Applicant:

1. Roof line heights have been lowered and simplified in detail.
2. Lighting has been confirmed as dark sky compliant and fixtures that did not meet these standards have been removed from the plans.
3. Misabeled plans have been clarified and corrected as requested.
4. Pavilion lighting has been identified in plan.
5. An ADA compliant detail was provided to the Board reflecting accessibility to the Clubhouse Building and Pool.

Upon the Design Review Board's completion of two evaluations of the Enclave at Boxborough Community Clubhouse Building, the Design Review Board finds the Applicant's drawing revisions to be adequate improvements to those requested by the Board and recommends approval of the Enclave Community Clubhouse Building by the Planning Board.

Best regards,

Rebecca Verner
Design Review Board Chair

Date: August 27, 2020

To: Boxborough Town Planner , Simon Corson
Boxborough Planning Board
Ducharme & Dillis

From: Tisbury Meadow Condominium Association

Re: Public hearing for proposed scenic sidewalk on Stow Rd

The Tisbury Meadow Condominium Association (TCMA) owns a portion of the property where the proposed sidewalk will be constructed.

TMCA signed the application with the understanding from the Town Planner, Simon Corson, that this is an acknowledgement of the proposed plan, not an endorsement, allowing for discussion with conditions for the public hearing on August 31, 2020.

TCMA has the following areas for questions and concerns.

- 1) **The amount of property that will be necessary for the proposed sidewalk.**
- 2) **The impact that the proposed sidewalk construction will have on our property, privacy and trees.**
- 3) **The appropriateness and necessity of a side walk in this location.**
- 4) **Whether the Town of Boxborough or Boxborough Town Center LLC is seeking ownership or seeking an easement.**

- 1) **The amount of property that will be necessary for the proposed sidewalk.**

- How many feet of TM property will be necessary for construction?
- What is the standard when a city/town takes private property for a sidewalk?
- The sidewalk is proposed to be 5 feet wide. Is 4 feet wide possible?
- How will our property assessment be affected?

2) The impact to our property, privacy and trees.

- How far back will the stone wall be moved and how tall will it be? What is the law regarding moving/reconstructing historic stone walls on a designated scenic road?
- How will the roots of remaining trees be affected by the sidewalk construction? The white pines lining the proposed sidewalk have shallow roots.
- Can TM get a replacement warrantee from the developer or the town for trees that may show signs of damage/decay/death for the following 5 years?
- Does the developer plan to provide replacement trees or shrubs to compensate for the loss of privacy? Will the developer remove 9 pines and replace them with appropriate trees and shrubs to provide privacy.
- Will the developer transplant bushes/trees, ie the Rose of Sharon?
- When will the construction of the sidewalk begin and how long will it take? We are concerned about the noise level, privacy and damage to plants on our property?
- TM is requesting that the town or the developer hire an independent arborist to assess all landscape removal and replacement.

3) The appropriateness and necessity of a sidewalk in this location.

- What is the value of having a sidewalk that does not extend further along Stow Rd.? The most dangerous spot for pedestrians is where Stow Rd narrows and curves just beyond Tisbury Meadow and Sheriff Meadow. Can a sidewalk be constructed there instead and/or in addition? Would the sidewalk be better placed on the other side of the road?
- Is this proposed scenic sidewalk a cost effective project? Can the money involved be more wisely used for something of greater need to the town of Boxborough?



[Redacted]

Formal Complaint Against 700, 750, and 800 Massachusetts Avenue, Enclave by Toll Brothers Boxborough

2 messages

Fri, Aug 14, 2020 at 2:28 PM

To: Bentley Herget <bherget@boxborough-ma.gov>
[Redacted], S Corson <scorson@boxborough-ma.gov>

Hi Bentley,

We have completed and attached the Building and Zoning Complaint Form due to violations we believe have occurred at the construction site at 700, 750, and 800 Massachusetts Avenue, also known as Enclave by Toll Brothers in Boxborough.

Please let us know if you need clarifications on any of the details or dates.

Thank you very much for all your help in this very concerning matter.

Sincerely,

Emile J. Biron
[Redacted]
[Redacted], Boxborough



Boxborough Zoning and Building Stone Dust Complaint.pdf
69K

Bentley Herget <bherget@boxborough-ma.gov> Tue, Aug 18, 2020 at 10:21 AM

To: [Redacted] <[Redacted]>
[Redacted] <[Redacted]>, S Corson <scorson@boxborough-ma.gov>

Hi Cathy,

The Board of Health has been on site twice, the last time on Thursday AM. I was also onsite Thursday at 1:00 and spoke to Jim Fenton, he told me they would not be doing ant rock crushing unless it was raining. The large equipment was to be removed from the site. I returned on Friday and yesterday Monday 8-11-2020 and no rock crushing was being done. They have two watering trucks on site to water the roads. Please let me know if there is still a dust problem.

Respectfully

Bentley Herget
Building Department

[Quoted text hidden]

Cathy Biron

Wed, Aug 5, 3:13 PM

to bherget, S, me

Hi Bentley,

It was great to speak with you today. Thank you so much for coming by our house on 539 Burroughs Road to hear about our air quality and stone dust issue everywhere around us outside our house. It was nice of you to take some photos and discuss with me what has been occurring at our home due to the ongoing construction of Enclave by Toll Brothers at Boxborough. I had a good voicemail message from Simon last Thursday and he is aware of our concerns.

As we discussed, the stone dust was exceptionally bad last week. We actually could taste it in our mouths and feel the particles in our eyes. We are all home working remotely and at times it's nice to go outside for fresh air and sit on our screen porch.

This was impossible to do last Mon-Wed, July 27 - July 29. I had sent some photographs in a previous email to Cindy Markewitz. She later copied Simon and I believe you also saw the photos from 8.28 and 8.29.

There have been other bad days prior to last week but I have tried to be patient throughout this whole development process. Additionally, Monday, August 3 was also very dusty.

I also showed you some video today from 8.29 and I am willing to share that if needed. In the video you can really see how the dust cloud extends beyond the development, through/on our property and vehicles, then across the street through our neighbors, and then down to Flerra Field, the conservation area. Just going to our cars we are affected and it's pretty impossible to do any yard work. This especially is hard with the recent wind storms (two) and many trees coming down on our property.

Thank you for passing along this information to your contact person at Nashoba Board of Health. It will be good to hear his assessment of this issue.

Stay well and thank you again for your kindness and support,

Cathy Biron

5 [REDACTED]

**Cathy Biron**

Mon, Aug 10, 12:09 PM (9 days ago)

to bherget, S, me

Hi Bentley,

I hope you are doing well today.

I am following up on my email from last week. Have you heard anything from the Nashoba Board of Health? The air pollution issues have not been any better lately.

On Friday my son needed to use his windshield wipers to see out of his car. Today, I needed to do the same on mine.

Once again, I cannot sit out in my backyard/screen porch without getting stone dust particles in my eyes and mouth. Today is another bad air quality day.

You mentioned a broken water truck being the cause of the air pollution the week of 7.27 to 7.29. If the truck was broken then breaking up stone should not have taken place.

I believe the Construction Conditions #4 were not in compliance and therefore it seems a violation has occurred.

I understand we are the closest house coming in under 95 feet most likely to a structure. This doesn't mean our property has to take the brunt of the Enclave project.

I am very discouraged this is happening and that a possible violation is continuing to occur almost on a daily basis.

I am very appreciative of anything you can do to help us with these concerns.

Sincerely,

Cathy Biron
539 Burroughs Road



Bentley Herget

Mon, Aug 10, 1:48 PM (9 days ago)

to Cathy, S, me

Hi,

I had sent an email to Jim Garreff, our Board of Health agent on Friday, he was out and met with Jim Fenton. I have attached his reply back to me, I will also be following up on this.

Bentley,

I visited the site at lunch and spoke with both Jim and Jason Fenton. I drove in the Mass Ave end and I noted the road way had been wetted to where the crusher was located. Jason and Jim stated the crusher has sprinklers built into it to mitigate the dust from crushing and they have a water truck on site.

I discussed the complaint and stressed the needs to minimize the dust: make sure the sprinklers on the crusher are working; wet the roadway often to control the dust. I will stop by next week to check on the site.

Jim



Cathy Biron

Wed, Aug 12, 10:46 AM (7 days ago)

to Emile, Bentley, S, me

Hi Bentley,

Good morning, I hope you're doing well.

I'm not sure if Mr. Fenton and his workers are following the wetting requirements today. By 10 AM the air was very cloudy to the upper left area of our property heading to the Flerra conservation area. It seems as if the construction crew needs to be policed daily.

Just thought you should be aware.

Sincerely,

Cathy



Cathy Biron

Wed, Aug 12, 3:13 PM (7 days ago)

to Bentley, S, me, Emile

Hi Bentley,

I understand you and Jim G. are following up with our concerns of the air pollution and proper stone crushing. Today, I've observed the site workers from our 2nd floor and I cannot see water coming from their equipment. Isn't there a designated area for stone crushing? They are either still breaking up rock (watering required) or crushing stone (designated area). It doesn't seem like either condition is being followed.

What steps are you and Jim G., BOH, taking regarding the broken watering truck from a few weeks ago? Is there a complaint form we can fill out?

Also, these issues have been occurring for more than 3 weeks now. It has become a quality of life and health issue for us. We use our porch a lot. I like to walk around in my yard a lot. It's the summer, pandemic or no pandemic. We need the air and sunshine for our mental health.

We would appreciate more specifics regarding the steps that you and Jim are taking to improve the air quality on our property and neighborhood. I will be in Town hall tomorrow and would like to see a complaint form.

Sincerely,

Cathy

Town Planner

Definition:

Administrative, professional and supervisory work related to the balanced, favorable, and sound economic use of land in the Town of Boxborough. The Planner acts as the chief inter-board liaison on land use matters of common interest, and develops practices and processes to assist and guide the public in bringing permit requests before the town to ensure smooth and open exchange of ideas, information and awareness among the land use boards in the performance of their duties and in their delivery of services to the public.

Distinguishing Characteristics:

Works with the Planning Board, the Board of Selectmen, and related boards on matters pertaining to land use, and represents Boxborough on regional planning issues.

Performs responsibilities of a professional, administrative and supervisory nature requiring the exercise of judgment in solving varied, and often complex and unusual issues/problems. Work is analytical and requires evaluation and interpretation in order to make decisions and/or recommend appropriate course of action.

Contacts are with the general public, vendors, suppliers, contractors, Town officials, and State officials and requires the explanation, discussion and interpretation of work procedures and regulations. May require persuading, and selling others to a point of view. The position requires the employee to exercise courtesy, tact and diplomacy in order to maintain goodwill.

Supervises employees performing clerical and technical functions. Coordinates fulfillment of consulting engagements with applicable Town Board(s). Establishes department goals and prepares department budget for review/approval.

Errors of omission or commission could result in financial loss to the Town, failure to meet established deadlines, inappropriate land use that could be irreversible, or loss of goodwill that may result in the Town being viewed as unfriendly to economic development.

Maintains department-related confidential information.

Work is performed under mostly favorable office conditions. Some field visits are required where there could be exposure to outside weather elements.

Negligible physical effort required in performing the duties under typical office conditions. Work is basically office-type but may require non-sedentary duties involving moderate physical efforts.

Examples of work:

Planning Board:

Researches and recommends zoning bylaws to properly regulate development of the town.
Oversees implementation and evolution of the Master Plan
Prepares technical and administrative materials for public hearings.
Develops, monitors and implements land use controls, including subdivision and zoning bylaws.

Secondary Responsibilities:

Participates in selected regional planning activities and forums.
Other related Planning Board work, as required.

Housing Board:

Develops suitable inclusionary zoning proposals and other incentives in support of Boxborough's Affordable Housing Long Range Plan.
Identifies and pursues external public grants and other financial assistance in support of affordable housing development on behalf of the town.
Monitors legislative and legal developments related to affordable housing goals in Boxborough.

Conservation Commission:

Assists in the preparation of the Open Space and Recreation Plan.
Identifies planning practices and zoning bylaw mechanisms to support Boxborough's conservation and open space goals.
In conjunction with the Board of Health, ensures Boxborough's zoning bylaws foster good maintenance and stewardship of watershed resources.
Assists the Conservation Commission in the preparation of educational and technical materials and maps.

Zoning Board of Appeals:

Provides technical assistance regarding planning issues for public hearing matters that come before the ZBA.

Board of Selectmen:

Acts as inter-board project coordinator for town projects that require permitting.
Serves as chief liaison to external professional development and land use consultants when required by projects of suitable scale.

Regional Planning Support:

Serves as liaison to adjacent towns to coordinate development projects and activities that straddle town boundaries or that are wholly in adjacent towns but potentially impact Boxborough.

Represents Boxborough in regional planning forums as directed by the Board of Selectmen and Planning Board

Supervision Received

1. The Town Planner will work under the direction of the Planning Board.
2. The Planner will work under the administrative direction of the Town Administrator within policies established by the Board of Selectmen and the Planning Board in accordance with a Memorandum of Understanding.
3. The Planner must work harmoniously and in close cooperation with the Board of Selectmen, Building Department, Conservation Commission, Board of Health, Housing Board, Public Works Department, and Zoning Board of Appeals.

Independent Action

1. Recommend priorities and procedures to achieve goals of favorable land use and goals set by the Planning Board.
2. Exercise initiative to develop and maintain contacts and communication with knowledgeable resources in the land use community.
3. Represent Boxborough in various regional land use planning meetings.

Supervisory Action

1. Supervise support personnel (the equivalent of five or fewer full-time employees).
2. Coordinate fulfillment of consultant(s) statement-of-work engagements with applicable Town Board(s).

Scope of Responsibility

1. Perform a varied number of complex tasks requiring considerable exercise of judgment and initiative within the guidelines established by local and state laws related to land use controls.
2. Errors could result in legal and/or monetary repercussions, cause delay, confusion, and adverse public relations.

DUTIES

Duties – Professional/Planning

Coordinates and integrates planning, zoning, and development issues that span the jurisdiction of multiple Town boards.

Creates and administers policies and procedures for the application and granting of permits for various types of construction and development in the Town.

Researches methods to achieve planning goals. Makes recommendations as to preferred approaches. Proposes and drafts amendments to the zoning bylaw and/or other controlling documents.

Provides professional, technical, and administrative support to the Planning Board to enable it to meet its statutory requirements.

Works with the Planning Board to ensure appropriate review, efficient processing, and sound decision making relative to all petitions, applications and proposals that fall under the Planning Board's jurisdiction.

Remains current on legislation, grant availability and general thinking on land use in the Commonwealth.

Prepares and submits grant applications as appropriate.

Acts as an informational/advisory resource to other Boards.

Manages the Town's GIS operations. Acts as GIS system administrator.

Examples of Work – Professional/Planning:

Works with the Planning Board to develop an integrated land use policy (including, but not limited to an open space preservation plan, economic development goals, traffic and circulation plan) that is consistent with current circumstances and community goals.

Recommends to the Planning Board legislative changes to the Zoning Bylaw and Subdivision Rules and Regulations that implement the town's land use policy; ensures compliance with state law, or improves efficiency/regulatory control over development projects.

Undertakes planning studies (e.g., traffic studies, demographic trends, aquifer boundaries, etc.) to identify existing and future land use issues; reports on projected "build-out" of the community for both residential and commercial land. Proposes possible solutions for land use issues identified in such planning reports.

Advises Town boards, officials, developers and others concerning the applicability, interpretation, intent and purpose of town land use regulations.

Consults to the Planning Board concerning creative and innovative methods of treating land use issues, e.g., development phasing, planned unit development and proactive open space preservation. Keeps apprised of state and federal legislation that could affect local planning programs and land development.

Consults with municipal planning officials in other communities as well as with regional and state planning agencies to coordinate town planning and zoning programs. Participates in regional planning opportunities. Plays a proactive role to minimize negative impacts and maximize opportunities for Boxborough arising from development in adjoining towns.

Monitors implementation of zoning, subdivision control, and other land use controls and related procedures; prepares proposed changes for Planning Board review and Town Meeting consideration.

Compiles statistics related to the Town's growth and development and prepares a summary annual report for the Town's Annual Report that quantifies and characterizes the Town's growth and development.

Maintains a library of pertinent reference materials.

Assists landowners, developers, and other interested parties seeking interpretation of the Town's zoning bylaw and the rules and regulations of the Planning Board; provides technical assistance to Town departments in planning and community development matters.

Represents the Planning Board in meetings and discussion with the public, community groups, developers and government officials.

Administers the subdivision control law, including the processing of preliminary and definitive plans (e.g., site plan review, special permits, scenic road hearings, etc.); prepares draft subdivision decisions for Planning Board review in conformance with state statutes.

Coordinates long-range community and regional planning for the Town, including implementation of the Master Plan and preparation of the Open Space and Recreation Plan; coordinates and advises town boards on issues pertaining to open space preservation plans, economic development goals, affordable housing strategies, and land use regulation and permitting.

Acts as project coordinator for town projects that require permitting.

Serves as the point-of-contact for all Town requests for GIS support. Provides GIS support as requested by town boards. Delegates GIS project assignments to in-house staff or outside consultants as workload dictates. Oversees all delegated project assignments. Assists other Town staff in developing their skills in the use of GIS. Attends training periodically to remain current on GIS system changes and capabilities.

Verifies DHCD housing inventory. Prepares housing certification report. Identifies and monitors availability of parcels for affordable housing. Recommends proposals for affordable housing solutions. Identifies and pursues grants and other forms of assistance in support of affordable housing development. Monitors legal and legislative developments related to affordable housing in Massachusetts. Participates in regional planning discussions for affordable housing goals.

Perform other position related duties as required.

Duties – Administrative

Maintains and enhance data management and record keeping associated with or required by land-use issues.

Develops and administer Planning Board programs.

Prepares the annual departmental budget and the Annual Town Report for approval by the Planning Board.

Monitors Planning Board compliance with laws of the Commonwealth, including satisfaction of legal notification requirements and that required documents and reports are prepared and filed in a timely fashion.

Coordinates review of legal issues, under Planning Board direction, with Town Counsel with the approval of the Town Administrator.

Monitors implementation of zoning, subdivision control, and other land use controls and related procedures.

Prepares draft decisions for Planning Board review in conformance with statutes of the Commonwealth.

Prepares the Planning Board meeting agenda, furnishes supporting materials including draft decisions, and supervises the posting of meetings and public hearing notices in conformance with applicable statutes; coordinates the submission of required documents and the participation of interested parties in meetings and public hearings; attends meetings and provide technical assistance as required

Examples of Work - Administrative:

Develops and maintains appropriate information systems related to development applications, land use patterns, comparative practices, population and housing.

Responds to requests for information from general public regarding proposed zoning text, district changes, development trends, etc.

Prepares Requests for Proposals for using professional consultants for various planning projects.

Oversees and directs professional consultants hired by the town for such planning projects.

Duties – General

Works with Town boards to improve efficiency and regulatory control.

Attends all regularly scheduled meetings of the Planning Board, annual and special town meetings, and occasional site walks in the field under variable weather conditions unless excused by the Planning Board.

Makes presentations and reports at Planning Board meetings, annual and special town meetings, and at other town or regional meetings.

RECOMMENDED MINIMUM QUALIFICATIONS:

I – Education and Experience

The town planner's duties require advanced knowledge and understanding of municipal and/or community planning, development and zoning issues equal to a Master's degree and two years of related experience or a Bachelor's degree and five or more years of related experience or any equivalent combination of education and experience. AICP Certification is preferred.

II – Knowledge, Ability and Skills

Extensive knowledge of land use planning principles and practices, state and local land use legislation, procedures, codes, and standards. Ability to communicate effectively in oral, graphic and written form, and to establish harmonious working relationships with Town officials, governmental representatives, community groups, and the general public. Strong organizational skills. Aptitude and attention to details and accuracy. Ability to analyze problems, prepare reports and formulate recommendations concerning planning operations.

Strong working knowledge of statutes pertinent to zoning and land use, particularly MGL Ch 40A and 40B.

Working knowledge of Microsoft Word, Excel and PowerPoint and Access; CADD application(s), GIS, GEO TMS, or similar database software.

Ability to read, understand and interpret technical specifications, blue-prints, zoning, subdivision control and other land use regulations and plot plans.

Ability to perform a varied number of complex tasks requiring considerable exercise of judgment and initiative within the guidelines established by local and state laws related to land-use controls.

III – Special Requirements

A valid Massachusetts Class D Driver's License; attend evening meetings.

IV – Physical Requirements

The physical demands listed are representative of those that must be met by the employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential functions of the job. While performing the duties of this job, the employee is required to talk, hear, and sit for extended periods. The employee is frequently required to use hands to finger, handle, or feel objects, tools, or controls. Occasionally requires walking, standing, bending/stooping, reaching with hands and arms, and carrying/lifting (normally no more than 25 pounds). Must be able to gain access to construction sites. Some physical effort needed to walk over rough and uneven terrain.

The employee must have good vision to view computer screens, alpha and numeric information, graphic data, read reports and printouts for analytical purposes for extended time periods. Requires manual dexterity in combination with eye-hand coordination for efficient keyboard input, data entry and filing.

The duties listed above are intended only as an illustration of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, or a logical assignment to the position. This position description does not constitute an

employment agreement between the Town and the employee and is subject to change by the Town as the needs of the Town and requirements of the job change.

Position description received by: _____ **Date:** _____

FINAL DRAFT
7/24/19



Town of Shirley Planning Board Rules and Regulations

July 2019

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Article 1: Adoption and Amendments

Section 1.1 These Rules and Regulations shall be duly adopted and amended from time to time, effective immediately, upon the majority vote of the Planning Board.

Section 1.2 Current copies of this document shall be retained in the Planning Board office and filed with the Town Clerk.

Section 1.3 This document shall be updated immediately to reflect amendments made by the Planning Board with the updated revision date noted in a footer on each page. Updated copies shall be filed immediately as described in Section 1.2 above.

Article 2: Powers and Duties of the Planning Board

Section 2.1 Introduction.

The role of the Planning Board is to oversee development while encouraging preservation of the natural landscape and important land resources. The Board is responsible for ensuring that projects meet the spirit and intent of the Shirley Master Plan, Protective Zoning Bylaws and General Bylaws. In addition, it is expected to adhere to the procedures described in this document in addition to all applicable state and federal laws.

The Planning Board is responsible for conducting the review and approval process for the following:

- subdivisions of land,
- site plans for certain large projects, and
- proposals for removal or alteration of trees and stone walls within the Town's right-of-way along designated Scenic Roads.

The Planning Board is also responsible for issuing certain special permits described in Sections 2.7, 2.9 and 2.10.

Section 2.2 Master Plan.

As described in MGL Chapter 41, Section 81D, the Planning Board is responsible for preparing, adopting, and amending a comprehensive Master Plan designed to provide a basis for decision making for the long-term development of the Town of Shirley.

Section 2.3 Zoning Bylaws.

The Planning Board is responsible for drafting and submitting amendments to the Town of Shirley Protective Zoning Bylaws for consideration by Town Meeting.

Section 2.4 Subdivision Rules and Regulations.

The Planning Board is responsible for adopting, administering and amending the Town of Shirley Planning Board Subdivision Rules and Regulations.

Section 2.5 Subdivision Control.

The Planning Board is responsible for ensuring that all subdivisions of land in the Town of Shirley (with the exception of ANR plans described in Section 2.6) conform to the requirements and procedures described in the Town’s Subdivision Rules and Regulations and MGL Chapter 41, Sections 81K-81GG.

Section 2.6 Approval Not Required (ANR).

The Planning Board is responsible for issuing endorsements of subdivisions that do not require approval under the Shirley Subdivision Rules and Regulations and MGL Chapter 41, Sections 81K-81GG.

Section 2.7 Low Impact Development (LID).

For subdivisions meeting certain criteria, the Planning Board is responsible for granting Low Impact Development Special Permits as described in Section 4.2A of the Town of Shirley Protective Zoning Bylaws.

Section 2.8 Site Plan Review.

In accordance with Section 7 of the Town of Shirley Protective Zoning Bylaws, the Planning Board is responsible for conducting a site plan review for certain commercial, industrial, institutional, multi-family municipal, and other non-residential projects. The Board may stipulate reasonable conditions for development before granting approval. These conditions may include design and location of buildings, signage, open space, landscaping, roadways, parking areas, storm water drainage, and fire safety.

Section 2.9 Special Permits.

The Town of Shirley Protective Zoning Bylaws describe by-right and permitted uses for each zoning district. In accordance with MGL Chapter 40A, Sections 9 and 11, certain additional uses require a Special Permit issued by the Planning Board. These uses are listed in Sections 3 and 4 of the Protective Zoning Bylaws. The Planning Board may deny the Special Permit for projects that would adversely impact the community. Alternatively, it may approve the Special Permit subject to conditions which eliminate or reduce any adverse impacts.

Section 2.10 Stormwater Management.

The Planning Board is the Stormwater Management Permit Granting Authority under the Shirley Stormwater Management Control Bylaw (i.e., General Town Bylaws, Article XXXII) and is responsible for administering, implementing and enforcing said Bylaw.

Section 2.11 Road Acceptance.

Road Acceptance is a multi-layer, multi-step process that involves the Board of Selectmen, the Planning Board, and a vote by Town Meeting, with the Board of Selectmen taking the leading

role. Once the Board of Selectmen has voted in favor of road acceptance, the plan is referred to the Planning Board for their review and nonbinding recommendation.

Section 2.12 Scenic Roads.

In accordance with MGL Chapter 40, Section 15C, the Planning Board is responsible for reviewing and acting upon proposals for the removal or alteration of trees and stone walls within the Town's right-of-way along designated Scenic Roads.

Section 2.13 Input to and from Town Departments, Boards and Commissions.

The Planning Board solicits input from, and provides input to, other Town departments, boards and commissions as required by the Town of Shirley Protective Zoning Bylaws, General Town Bylaws, the procedures described in this document, and all applicable state and federal laws.

Section 2.14 Paid Consultants.

The Planning Board is responsible for hiring certified professionals or other paid consultants to provide input on specific projects when necessary and for collecting Project Review Consultant fees from applicants to cover these services.

Section 2.15 Additional Duties.

The Planning Board may assume additional duties as authorized by the Town of Shirley, the Commonwealth of Massachusetts, and/or federal statute.

Article 3: Organization: Membership, Terms of Office, Officers, and Vacancies

Section 3.1 The Planning Board shall consist of five members each with a five-year term and one associate member as described in Article 4. The Planning Board members shall be elected in staggered terms, such that one term expires every year.

Section 3.2. Term of office shall commence immediately upon election and swearing in by the Town Clerk.

Section 3.3 The Planning Board shall elect the following officers from among its members: Chair and Vice-Chair.

Section 3.4 Officers shall be elected annually as the first order of business at the designated meeting after Annual Town Election.

Section 3.5 In the event a vacancy of an elected member occurs, a new member shall be appointed jointly by the Planning Board and the Board of Selectmen in accordance with MGL Chapter 41, Section 81A.

Article 4: Associate Member

Section 4.1 The Associate Member shall be elected for a two-year term.

Section 4.2 The Associate Member does not have a vote, except as noted in Section 4.3, but is expected to attend all regularly scheduled Planning Board meetings.

Section 4.3. The Associate Member shall sit on the Board, when necessary, for the purpose of acting on Special Permit applications.

Article 5: Duties of Officers

Section 5.1 The Chair shall preside over meetings and shall be responsible for the agenda, conduct, and decorum of the meeting.

Section 5.2 The Vice-Chair shall assume the duties of the Chair in the absence of the Chair.

Article 6: Minutes

Section 6.1 Minutes of all Planning Board meetings shall be prepared by the Planning Board Administrative Assistant in accordance with the provisions of Massachusetts Open Meeting Law.

Section 6.2 Minutes of open sessions shall become public record immediately, regardless of form. Minutes should be marked “DRAFT” until they are officially adopted by the Planning Board.

Section 6.3 Approval of minutes, except executive-session minutes, shall be made in open session by a majority vote of the Planning Board members present.

Section 6.4 Minutes may be amended to improve clarity, accuracy, and completeness, but not to re-open debate on a previously decided agenda item. Amendments must be made in open session and noted in that meeting’s minutes. Revised minutes should be marked, as amended, with the revision date.

Section 6.5 Approved minutes shall be signed by the presiding Chair at the time the vote is taken.

Section 6.6 Executive-session minutes remain closed to the public for as long as their publication would defeat the purpose of the session. Executive-session minutes must be made public as soon as the reason for confidentiality no longer applies.

Section 6.7 See addendum for additional guidance on meeting minutes, developed by Town Counsel.

Article 7: Meetings: Time, Location, and Executive Session

Section 7.1 All meetings of the Planning Board shall be held in accordance with the provisions of Massachusetts Open Meeting Law.

Section 7.2 All meetings of the Planning Board shall be held in the Shirley Town Offices or other Town of Shirley municipal building, unless restricted by space availability.

Section 7.3 Meetings of the Planning Board shall begin at 7:00 p.m., unless the Planning Board sets a different time for a particular meeting by majority vote.

Section 7.4 Meetings of the Planning Board shall be held on the 2nd and 4th Wednesday of each month, unless calendar or schedule conflicts require this schedule be changed. Any deviations from this schedule shall be announced by the Planning Board at one of their regularly scheduled meetings and/or posted on the Town Website.

Article 8: Conduct of Meetings and Public Hearings

Section 8.1 The Chair shall apply rules of parliamentary procedure, as outlined in *Robert's Rules of Order*, to maintain order and decorum as may be necessary to promote efficient time management, as well as professional conduct of Planning Board business, guided by a desire to obtain all relevant facts and testimony and to engage public input on matters before the Planning Board.

Section 8.2 During public hearings or public meetings considering applications for ANRs, site plans, special permits or subdivisions, the applicant shall be recognized for presentation, followed by the comments, questions, and concerns of the Planning Board members, abutters, and any other parties of interest in attendance.

Section 8.3 The Chair shall reserve the right to limit presentations to those that are relevant to matters being discussed. All comments by the public shall be limited in the interest of preserving an efficient process, unless otherwise allowed at the discretion of the Chair.

Article 9: Quorum and Voting

Section 9.1 A quorum of three physically present members of the Planning Board shall be required to conduct business.

Section 9.2 All votes must take place at a Planning Board meeting. Remote participation shall be in accordance with the provisions for such as set forth in Massachusetts General Law, specifically 940 CMR 29.10, and in the Bylaws of the Town of Shirley.

Section 9.3 Planning Board members present may be counted to determine whether a quorum is present, even if they abstain from voting. If the Planning Board member is recusing him/herself due to conflict of interest, he/she cannot be counted as being present for the quorum for that portion of the meeting for which he/she is disqualified by reason of conflict of interest.

Section 9.4 A tie vote defeats a motion.

Section 9.5 Planning Board votes shall be a simple majority of those present and voting, except for Special Permits which require a “super majority.”

Section 9.6 A “super majority” of a five-member Planning Board is four. This number is required for passage of a motion regardless of the number present. The Associate Member may vote on a Special Permit if their vote is needed to create a “super majority” and they fulfill the requirements of Section 9.7.

Section 9.7 The Associate Member may vote on a Special Permit only if s/he has attended all relevant Public Hearings, either in person or remotely, in accordance with Section 9.2 above.

Article 10: Procedure for ANR

Section 10.1 As per MGL Chapter 41, Sections 81O, 81P and 81T, applicants requesting Planning Board endorsement of an ANR plan will submit the information described in Section 10.4 to the Planning Board Administrative Assistant. The applicant will also deliver in person, or via registered mail, a copy of the Application for Endorsement of Plan Not Requiring Approval to the Town Clerk. The Board has 21 days from the date of submission in which to make its decision to favorably endorse, not endorse, or allow the petitioner to withdraw the ANR plan.

Section 10.2 Upon receipt of an ANR plan containing the information described in Section 10.4, the Planning Board Administrative Assistant shall transmit a copy of the Application for Endorsement of Plan Not Requiring Approval to the Town Clerk.

Section 10.3 An ANR does not require either a hearing, an advertisement, or notification of abutters to the property.

Section 10.4 The applicant will submit the following information to the Planning Board Administrative Assistant:

- A. Five (5) copies of completed Application for Endorsement of Plan Not Requiring Approval
- B. One full-size mylar plan
- C. Five (5) full-size paper copies of the plan

- D. Five (5) 11" x 17" paper copies of the plan
- E. Payment in the amount specified in the Planning Board Fee Schedule

Section 10.5 Procedure to be followed by the Planning Board:

- A. If favorably endorsed, the Board shall sign the full-size Mylar plan and return it to the applicant. The Board shall also sign the five full-size copies of the plan which shall be distributed by the Planning Board Administrative Assistant as described in Section 10.5.E.
- B. There are two reasons why the Planning Board may not favorably endorse the ANR plan:
 - 1. The board does not believe that it meets the requirements of an ANR plan. In this case, the plan may be resubmitted to the Planning Board at a later date for approval under the Subdivision Control Law.
 - 2. The board does not believe the application is complete. In this case, the plan may be resubmitted to the Planning Board for review at a later date.
- C. If the Planning Board does not favorably endorse the ANR plan, the Planning Board Administrative Assistant shall notify the applicant and the Town Clerk in writing. This notification shall take place within 21 days of submission of the ANR plan.
- D. If the Board does not favorably endorse the ANR plan, this decision may be appealed by the applicant in the manner provided in MGL Chapter 41, Section 81BB.
- E. If the Planning Board votes to favorably endorse the ANR, the Administrative Assistant shall distribute one copy of the Application for Endorsement of Plan Not Requiring Approval and one signed, full-size copy of the ANR plan to the following within 21 days of submission:
 - 1. Applicant: Form A-1 only
 - 2. Assessors: Form A-1 plus ANR Plan
 - 3. Town Clerk: Form A-1 plus ANR Plan
 - 4. Building Inspector: Form A-1 plus ANR Plan
 - 5. Planning Board File: Form A-1 plus ANR Plan
- F. If no action is taken by the Planning Board within 21 days following the date of submission of the ANR plan, the Board shall be deemed to have determined that approval under the Subdivision Control Law is not required.

Article 11: Procedure for Site Plan Review

Section 11.1 The following documents contain descriptions of the information required by the Planning Board whenever a Site Plan Review is required. It is the responsibility of the applicant, or their agent, to ensure that the Site Plan submitted to the Planning Board contains the required information.

- A. Protective Zoning Bylaws: Chapter 7, Site Plan Review
- B. Application for Site Plan Review and Request for Public Hearing
- C. Site Plan Review Checklist
- D. Stormwater Management Control Bylaw
- E. Planning Board Fee Schedule

Section 11.2 The Planning Board Administrative Assistant shall ensure that the applicant agrees to pay the costs for legal advertisements and notification of abutters and signs the Applicant Agreement to Pay Additional Costs, such as a Project Review Consultant Fee.

Section 11.3 An applicant, or their agent, requesting a Site Plan Review will submit fifteen (15) copies of the Site Plan containing the information described above in Section 11.1, plus fifteen (15) copies of the completed Application for Site Plan Review and Request for Public Hearing to the Planning Board Administrative Assistant, along with a check for the fee(s) specified in the Planning Board Fee Schedule. The applicant, or their agent, will also deliver in person, or via registered mail, a copy of the completed Application for Site Plan Review and Request for Public Hearing to the Town Clerk. In addition, the applicant, or their agent, will submit electronic copies of the completed application and Site Plan.

Section 11.4 The Planning Board shall hold a public hearing no later than forty-five (45) days after receiving a complete Site Plan application as described above in Section 11.3. The date set shall ensure that the Town boards, departments, commissions, etc., are given 35 days in which to provide input to the Planning Board as described in Section 11.7. In accordance with MGL Chapter 40A, Section 11, the public hearing shall be posted at least 14 days before said hearing and advertised twice in a local newspaper, with the first advertisement at least 14 days before the date of the hearing. When the ad is submitted for publication, the Planning Board Administrative Assistant shall send notice of the public hearing to the applicant and to the abutters by certified mail and also to the Planning Boards of Ayer, Groton, Lunenburg, Lancaster, Townsend and Devens.

Section 11.5 The Planning Board Administrative Assistant shall transmit one copy each of the application and Site Plan, along with a transmittal form, to the following Town boards, departments, commissions, etc.:

- A. Building Inspector
- B. Board of Health
- C. Conservation Commission
- D. Board of Selectmen
- E. Department of Public Works
- F. Fire Department
- G. Police Department
- H. Tax Collector
- I. Sewer Commission
- J. Water Department
- K. Zoning Board of Appeals

Section 11.6 The Town Clerk shall prepare a new file folder for the Town Clerk's copy of the application and Site Plan. The Planning Board Administrative Assistant shall prepare a package containing the application, Site Plan, and input from the boards, departments, commissions, etc., described above in Section 11.5.

Section 11.7 Town boards, departments, commissions, etc., shall have 35 days to respond in writing to the Planning Board via the transmittal form. Their failure to respond within 35 days shall constitute approval of the adequacy of the submittal and also that, in their opinion, the proposed project would cause no adverse impact. The Planning Board shall not act on a Site Plan application until comments have been received, or until the 35 days has expired.

Section 11.8 As described above in Section 11.3, the Planning Board shall hold a public hearing no later than forty-five (45) days after receiving a Site Plan application. After the public hearing is closed, and after deliberation as may be needed, the Planning Board shall formally vote to approve or deny the application. The written decision of the Board, with findings, conditions, limitations, and safeguards, if any, may be "roughed out" by the Planning Board Administrative Assistant at the meeting where the vote is taken and later typed.

Section 11.9 The Planning Board Administrative Assistant shall file the written decision with the Town Clerk within 30 days of the close of the public hearing. Following the filing of the written decision with the Town Clerk, the Planning Board Administrative Assistant shall mail a copy, time-stamped and certified by the Town Clerk, to the applicant and anyone else requesting a copy at the public hearing. In addition, a copy shall be given to the Building Inspector and a

copy added to the applicant's file in the Planning Board office. If the written decision is not filed with the Town Clerk within 30 days, the Site Plan shall be deemed approved.

Section 11.10 As per MGL Chapter 40A, Section 17, Planning Board members shall sign both the written decision and the final Site Plan after the twenty (20) day appeal period has expired.

Section 11.11 The Building Inspector shall not issue a building permit for an applicable property until a copy of the Site Plan approval is received, and only in accordance with all conditions, limitations, and safeguards specified in the decision. However, the Building Inspector shall inform the applicant that any action they may take prior to conclusion of the 20-day appeal period is at their own risk. In no case shall a building permit be issued for any Site Plan application denied by the Planning Board, unless directed by a Court as the result of an appeal.

Section 11.12 Provided no appeal has been filed, following conclusion of the 20-day appeal period, the Planning Board Administrative Assistant shall provide signed copies of the written decision and Site Plan to the following: Building Inspector, Department of Public Works, Shirley Water District, Police Department, Fire Department, Conservation Commission, and Board of Health. Signed copies shall also be kept on file in the Planning Board office.

Article 12: Procedure for Site Plan Review when Special Permit Required

Section 12.1 For projects that require both a Special Permit and a Site Plan Review, the application for the Special Permit shall be a consolidated submission and the Site Plan Review decision incorporated in the Special Permit decision. Since both the Special Permit and Site Plan Review require public hearings, the Planning Board may elect to conduct the hearings together rather than separately. In this case, the most restrictive timing regarding scheduling the hearing, voting to approve/deny, issuing the written decision, etc., shall apply.

Article 13: Procedure for Special Permit Issued by the Planning Board

Section 13.1 The Shirley Protective Zoning Bylaws describe by-right and permitted uses for each zoning district. In accordance with MGL Chapter 40A, Sections 9 and 11, certain additional uses require a Special Permit issued by the Planning Board. These uses are listed in Sections 3 and 4 of the Zoning Bylaws.

Section 13.2 The following documents include the information that may be required by the Planning Board when a Special Permit is requested. After consulting these documents, it is suggested that the applicant, or their agent, attend one of the regularly scheduled Planning-Board meetings to discuss their project informally and determine exactly what documentation the Planning Board deems applicable.

- A. Protective Zoning Bylaws, Chapter 8.5: Special Permits Issued by the Planning Board
- B. Application for Special Permit and Request for Public Hearing
- C. Stormwater Management Control Bylaw
- D. Planning Board Fee Schedule

Section 13.3 The applicant, or their agent, will submit fifteen (15) copies of the Application for Special Permit and Request for Public Hearing, accompanied by fifteen (15) copies of the additional information required by the Planning Board (see Section 13.2 above) to the Planning Board Administrative Assistant, along with a check for the fee(s) specified in the Planning Board Fee Schedule. The applicant, or their agent, will also deliver in person, or via registered mail, a copy of the completed Application for Special Permit and Request for Public Hearing to the Town Clerk. In addition, the applicant, or their agent, will submit electronic copies of the completed application and accompanying documentation to the Planning Board Administrative Assistant.

Section 13.4 The Planning Board Administrative Assistant shall ensure that the applicant has agreed to pay the costs for legal advertisements and notification of abutters and has signed the Applicant Agreement to Pay Additional Costs, such as a Project Review Consultant Fee.

Section 13.5 The Planning Board shall hold a public hearing no later than sixty-five (65) days after receiving a completed Special Permit application as described above in Sections 13.2 and 13.3. The date set shall ensure that the Town boards, departments, commissions, etc., are given 35 days in which to provide input to the Planning Board as described in Section 13.8. In accordance with MGL Chapter 40A, Section 11, the public hearing shall be posted at least 14 days before said hearing and advertised twice in a local newspaper, with the first publication at least 14 days before the date of the hearing. When the ad is submitted for publication, the Planning Board Administrative Assistant shall send notice of the public hearing to the applicant and to the abutters by certified mail and also to the Planning Boards of Ayer, Groton, Lunenburg, Lancaster, Townsend and Devens.

Section 13.6 The Planning Board Administrative Assistant shall transmit one copy each of the completed Application for Special Permit and Request for Public Hearing, and the additional information required by the Planning Board, with a transmittal form to the following Town boards, departments, commissions, etc., requesting their feedback:

- A. Building Inspector
- B. Board of Health
- C. Conservation Commission
- D. Board of Selectmen

- E. Department of Public Works
- F. Fire Department
- G. Police Department
- H. Tax Collector
- I. Sewer Commission
- J. Water Department
- K. Zoning Board of Appeals

Section 13.7 The Town Clerk shall prepare a new file folder for the Town Clerk's copy of the Special Permit application and additional information. The Planning Board Administrative Assistant shall prepare a package containing the Special Permit application and additional information, including input received from the boards, departments, commissions, etc., described above in Section 11.6.

Section 13.8 Town boards, departments, commissions, etc., shall have 35 days to provide input to the Planning Board in writing via the transmittal form. Their failure to report within 35 days shall constitute approval of the adequacy of the submittal, and also that in their opinion the proposed use would cause no adverse impact. The Planning Board shall not act on a Special Permit application until all comments have been received or until the 35 days has expired.

Section 13.9 As described above in Section 11.5, the Planning Board shall hold a public hearing no later than sixty-five (65) days after receiving the completed Special Permit application and additional required information. The Planning Board shall formally vote to approve or deny the Special Permit, confirm the decision in writing, and distribute as described in Section 13.10, within 90 days from the close of the public hearing. Decisions regarding Special Permits require at least four affirmative votes for approval and may include conditions and safeguards the Planning Board deems necessary to protect the immediate surrounding area or the Town in general, as described in Chapter 8.5.5 of the Protective Zoning Bylaws.

Section 13.10 The written decision of the Planning Board, with findings and conditions and safeguards, if any, shall be completed by the Planning Board Administrative Assistant within 14 days of the vote and immediately filed with the Town Clerk. A copy of the written decision, time-stamped and certified by the Town Clerk, shall be distributed by the Planning Board Administrative Assistant to the Building Inspector, the applicant, and to anyone else requesting a copy at the public hearing. A time-stamped and certified copy shall also be added to the applicant's file in the Planning-Board office.

Section 13.11 The Special Permit shall not take effect until the applicant, or their agent, records the approval with the Middlesex County Registry of Deeds and a certified copy of said recording is transmitted to the Planning Board by the Registry.

Section 13.12 The Shirley Building Inspector shall not issue a building permit for use of an applicable property until a copy of the Site-Plan approval is received, and only in accordance with all conditions, limitations, and safeguards specified in the decision. However, the Building Inspector may inform the applicant that any action they take prior to conclusion of the 20-day appeal period is at their own risk. In no case shall a building permit be issued for any application denied by the Planning Board, unless directed by a Court as the result of an appeal.

Article 14: Procedure for Subdivisions

Section 14.1 The Subdivision Control Law is promulgated under MGL Chapter 41, Sections 81K through 81GG. The Town of Shirley also has local Subdivision Rules and Regulations (Revision 1.13). Article 14 is specific to the local Shirley Subdivision Rules and Regulations.

Section 14.2 A person who plans to divide a parcel of land into two or more lots and believes the plan does not require approval under Subdivision Control Law is required to submit an Application for Endorsement of Plan Not Requiring Approval as described in Article 10. If the Planning Board does not favorably endorse the ANR plan, the decision may be appealed by the applicant in the manner provided in MGL Chapter 41, Section 81BB. In the absence of an appeal, or if an appeal is unsuccessful, the applicant is invited to follow the procedures for submittal of a subdivision preliminary and/or definitive plan.

Section 14.3 The following documents describe the information required by the Planning Board when reviewing subdivision preliminary and/or definitive plans. It is the responsibility of the applicant, or their agent, to ensure that the information submitted to the Planning Board is complete, accurate, and in accordance with the requirements described in these documents.

- A. Protective Zoning Bylaws: Chapter 7, Site Plan Review
- B. Subdivision Rules & Regulations, Revision 1.13
- C. Stormwater Management Control Bylaw
- D. Application for Approval of Preliminary Plan
- E. Application for Approval of Definitive Plan
- F. Planning Board Fee Schedule

Section 14.4 A Preliminary Plan does NOT have to be submitted for residential subdivisions but MUST be submitted for nonresidential subdivisions. No public hearing, legal advertisements,

or notices to abutters are required. Submission of a Preliminary Plan enables the applicant, the Planning Board, other commissions and boards, and the public to review and discuss the planned subdivision before a Definitive Plan is prepared. (Note: If the Definitive Plan is submitted within seven (7) months following submittal of the Preliminary Plan, the fee paid for the Preliminary Plan shall be applied as a credit toward the fee for the Definitive Plan.)

Section 14.5 Procedure for Submission of Preliminary Plans.

- A. The applicant, or their agent, will submit to the Planning Board Administrative Assistant the following: fifteen (15) copies of the Application for Approval of Preliminary Plan, fifteen (15) copies of the additional information required (as specified in the documents listed in Section 14.2), and a check for the fee(s) specified in the Planning Board Fee Schedule and Additional Fees, such as for a Project Review Consultant. The applicant, or their agent, will also deliver in person, or via registered mail, a copy of the completed Application for Approval of Preliminary Plan to the Town Clerk. In addition, the applicant, or their agent, will submit electronic copies of the completed application and accompanying information to the Planning Board Administrative Assistant.

- B. The Planning Board Administrative Assistant shall transmit one copy each of the completed Application for Approval of Preliminary Plan and the additional information required by the Planning Board, with a transmittal form, to the following Town boards, departments, commissions, etc. requesting their written feedback in advance of the Planning Board meeting at which the Preliminary Plan shall be discussed:
 - 1. Building Inspector
 - 2. Board of Health
 - 3. Conservation Commission
 - 4. Board of Selectmen
 - 5. Department of Public Works
 - 6. Fire Department
 - 7. Police Department
 - 8. Sewer Commission
 - 9. Shirley Water District
 - 10. Tax Collector
 - 11. Zoning Board of Appeals

- C. The Planning Board shall act on the Preliminary Plan within 45 days of submittal and document its decision in writing. Within the same 45 days, the Planning Board Administrative Assistant shall provide a copy of the written decision to the Town Clerk and to the applicant by certified mail. This 45-day limit may be extended, in writing, by the applicant.
- D. The Planning Board decision shall consist of approving the Preliminary Plan, approving the Preliminary Plan with conditions or modifications agreed to by the applicant, or denying the Preliminary Plan. If denied, the written decision shall include a detailed description of the reasons for the denial. If approved with conditions or modifications, the written decision shall document same.
- E. As per MGL Chapter 41, Section Q, when a Preliminary Plan has been submitted to the Planning Board, such Preliminary Plan and the Definitive Plan evolved therefrom shall be governed by the rules and regulations relative to subdivision control in effect at the time of the submission of the Preliminary Plan, provided that the Definitive Plan is duly submitted within seven (7) months from the date on which the Preliminary Plan was submitted.

Section 14.6 Procedure for Submission of Definitive Plans.

- A. The applicant, or their agent, will submit to the Planning Board Administrative Assistant the following: fifteen (15) copies of the completed Application for Approval of Definitive Plan, a certified list of abutters obtained from the Assessor's Office, fifteen (15) copies of the additional information required by the Planning Board (as specified in the documents listed in Section 14.2 above), and a check for the fee(s) specified in the Planning Board Fee Schedule. The applicant, or their agent, will also deliver in person or via registered mail a copy of the completed Application for Approval of Definitive Plan to the Town Clerk. In addition, the applicant, or their agent, will submit electronic copies of the completed application and accompanying information to the Planning Board Administrative Assistant.
- B. The Planning Board Administrative Assistant shall ensure that the applicant has agreed to pay the costs for legal advertisements, notification of abutters, cost of professional services (if required), and any other costs associated with consideration of the Definitive Plan, and has signed the Applicant Agreement to Pay Additional Costs.
- C. As per Section 3.2.3.1 of the Subdivision Rules & Regulations, Revision 1.13, an Environmental Impact Statement is required to be submitted as part of the package of information described above. However, the Planning Board may waive those sections of the Environmental Impact Statement it deems do not apply to the proposed subdivision. It is thus recommended that the applicant discuss the Environmental Impact Statement with the Planning Board before it is prepared and prior to submission of the Definitive Plan to determine which sections (if any) may be waived.

- D. The applicant, or their agent, will also submit to the Board of Health two (2) copies of the completed Application for Approval of Definitive Plan and the additional information required by the Planning Board (as specified in the documents listed in Section 14.2 above). The Board of Health shall, within forty-five (45) days, report to the Planning Board in writing, indicating which of the lots (if any) shown on the Definitive Plan cannot be used for building sites due to public health concerns or drainage conditions. Where possible, the Board of Health shall include recommendations for adjustment thereof in their written feedback to the Planning Board.
- E. The Planning Board Administrative Assistant shall transmit one copy each of the completed Application for Approval of Definitive Plan and the additional information required by the Planning Board, with a transmittal form, to the following Town boards, departments, commissions, etc. requesting their feedback in advance of the Planning Board public hearing at which the Definitive Plan shall be discussed:
1. Building Inspector
 2. Board of Health
 3. Conservation Commission
 4. Board of Selectmen
 5. Department of Public Works
 6. Fire Department
 7. Police Department
 8. Sewer Commission
 9. Shirley Water District
 10. Tax Collector
 11. Zoning Board of Appeals
- F. Town boards, departments, commissions, etc. specified above shall have 30 days to provide input to the Planning Board, in writing, via the transmittal form. The Planning Board shall not act on a Special Permit application until all comments have been received or until the 30-day period has expired.
- G. The Town Clerk shall prepare a new file folder for the Town Clerk's copy of the Application for Approval of a Definitive Plan and accompanying information. The

Planning Board Administrative Assistant shall prepare a package containing the same plus the input received from the boards, departments, commissions, etc. specified above.

- H. The Planning Board has 135 days from submittal in which to make its decision and file the written decision with the Town Clerk. If a Preliminary Plan was previously submitted and acted upon by the Planning Board (including denial) within seven (7) months of submittal of the Definitive Plan, the time from submission to filing of the written decision is reduced to 90 days. In either case, this time period may be extended by mutual agreement, in writing, between the Planning Board and the applicant.
- I. The Planning Board shall hold a public hearing regarding the Definitive Plan on a date that shall ensure that the Town boards, departments, commissions, etc. are given 30 days in which to provide input, and 45 days in the case of the Board of Health (see 14.5.D above). In accordance with MGL Chapter 40A, Section 11, the public hearing shall be posted at least 14 days before said hearing and advertised twice in a local newspaper with the first advertisement at least 14 days before the date of the hearing. When the advertisement is submitted for publication, the Planning Board Administrative Assistant shall send notice of the public hearing to the applicant and to the abutters by certified mail and also to the Planning Boards of Ayer, Groton, Lunenburg, Lancaster, Townsend and Devens.
- J. When the Planning Board is ready to vote to approve, approve with waivers or conditions, or deny the Definitive Plan, the Board shall make a motion to close the public hearing. This motion must get a majority vote of the members present. Next, the motion to approve, and the associated waivers and conditions, if any, shall be made and put into writing. In order for the Definitive Plan to be approved, three Planning Board members must vote in favor.
- K. Immediately following the meeting, the Planning Board Administrative Assistant shall draft the written decision and distribute it to the Planning Board members for review. If the Definitive Plan has been denied, the written decision shall include a detailed description of the reasons for denial. If the Plan has been approved with waivers or conditions, these shall be fully documented in the written decision.
- L. The Planning Board shall approve the written decision at its next meeting. Immediately following the meeting, the Planning Board Administrative Assistant shall file the written decision with the Town Clerk (at which point the 20-day appeal period begins), and also send a copy to the applicant by registered mail.
- M. To indicate final approval by the Planning Board, copies of the Definitive Plan shall be endorsed with the signatures of a majority of the Planning Board members, but not until the twenty (20) day appeal period has elapsed without an appeal being filed. If an appeal has been filed, the Definitive Plan shall not be endorsed until the appeal has been settled.

- N. The endorsement is made at a Planning Board meeting on the original Mylar and the five (5) paper copies of the Definitive Plan furnished by the applicant referencing all waivers, covenants, performance guarantees, etc. The Planning Board Administrative Assistant shall retain a signed copy in the Planning Board office; forward a signed copy to the Town Clerk, Building Inspector, Board of Health and Board of Assessors; and return the signed Mylar original to the applicant.
- O. During the 20-day appeal period, Town Counsel, in consultation with Town officials, shall draft a performance guarantee in accordance with Section 3.2.5 of the Subdivision Rules & Regulations, Revision 1.13. The Planning Board shall review the performance guarantee and accept it during a regularly scheduled meeting before the Definitive Plan is endorsed.
- P. If the Definitive Plan has been approved by the Planning Board, following endorsement of the Plan as described above in Section M, the applicant, or their agent, will cause to be recorded in the Middlesex Southern District Registry of Deeds and, in the case of registered land, with the recorder of the Land Court, a copy of the approved Definitive Plan and accompanying covenants, etc. if any. Following recording of the Definitive Plan in the Registry of Deeds, etc., the applicant or their agent will deliver to the Planning Board Administrative Assistant documentation of same as specified in Section 3.2.6.2 of the Subdivision Rules & Regulations, Revision 1.13.

Section 14.7 Prior to release of the Performance Guarantee, the Planning Board is responsible for confirming that the “as built” drawings accurately depict the subdivision as constructed, and furthermore that the completed subdivision (or portion thereof) meets the requirements of the Definitive Plan and those of Section 4 of the Subdivision Rules & Regulations, Revision 1.13. Refer to Sections 3.2.7 and 3.2.8 of the Subdivision Rules & Regulations, Revision 1.13, for a detailed description of this process.

Article 15: Procedure for Road Acceptance

The Road Acceptance process is a multi-layer, multi-step process that involves the Board of Selectmen, the Planning Board, and a vote by Town Meeting, with the Board of Selectmen taking the lead role. Once the Board of Selectmen has voted in favor of road acceptance, and before the vote at Town Meeting, the plan is referred to the Planning Board for their review and nonbinding recommendation. The road acceptance process is fully explained in a document entitled “City and Town Ways: Layout, Acceptance and Acquisition” prepared by KP Law and available in the Planning Board office.

Article 16: Procedure for Stormwater Management Permit

The Planning Board is the Permit Granting Authority for Stormwater Management Control permits. The procedure for obtaining a Stormwater Management Control permit is described in detail in the Town of Shirley General Bylaws, Article XXXII, which can be found on the Town website.

Article 17: Agenda Management

Section 17.1 The Planning Board Administrative Assistant, in consultation with the Chair, shall be responsible for management of meeting agendas.

Section 17.2 The Planning Board Administrative Assistant shall prepare a package of correspondence and supporting documents which shall be provided electronically to all Planning Board members for review within three (3) working days prior to the meeting at which they will be considered. Hard copies of this packet shall be placed in front of each member's chair prior to each meeting unless the Planning Board member states they do not need the hardcopies printed.

Section 17.3 Applications, whether new or revised, shall be submitted by an applicant in a timely manner. Applications requiring review and response by Town boards, commissions, etc. must be submitted a minimum of one week prior to the scheduled Planning Board meeting or hearing submittal deadline unless otherwise determined by the Chair.

Section 17.4 In addition to paper sets of plans, all Site Plans, Special Permit Site Plans, and Preliminary and Definitive Subdivision Plans must be submitted to the Planning Board in electronic format at the same time paper plans are submitted, according to the respective deadlines for such plans as specified elsewhere in these Rules and Regulations. Electronic documents and plans shall be submitted as pdfs, unless permission is granted for another format.

Section 17.5 Any revisions to submitted plans (including, but not limited to, updates to plan sheets, stormwater calculations, drainage plans, etc.) for Site Plans, Special Permit Plans, and/or Preliminary/Definitive Subdivision Plans, already scheduled or in the review process, must be received by the Planning Board at least five (5) working days prior to the meeting or hearing at which the project is to be considered. The Planning Board reserves the right to postpone consideration of any new information submitted after this deadline by continuing the plan review meeting or hearing to the next available date.

Section 17.6 The Planning Board Administrative Assistant shall not schedule any application package for review at a Planning Board meeting or public hearing until the package is complete according to the requirements specified elsewhere in this document.

Article 18: Standards of Conduct for Planning Board Members

Section 18.1 Planning Board members are obligated to serve the public interest, to conduct themselves so as to maintain public confidence in the Planning Board, to meet the fundamental responsibility of fairness, and to comply with all statutory regulations.

Section 18.2 Planning Board members and associate member are expected to attend all scheduled Planning Board meetings, public hearings, etc. If attendance is not possible, the member/associate member shall notify the Planning Board Chair and Administrative Assistant in advance of the meeting.

Section 18.3 Members of the Planning Board shall conduct themselves in accordance with MGL Chapter 268A (Conflict of Interest). This includes but is not limited to:

- A. Not asking for or accepting anything, regardless of value, if it is offered in exchange for agreeing to perform or not perform an official act.
- B. Not asking for or accepting any “gift” worth \$50.00 or more from anyone with whom the member has official dealings.
- C. Not taking any action that could create an actual conflict of interest, or the appearance of a conflict of interest unless the member makes a public disclosure of the conflict.
- D. Not disclosing confidential information.
- E. Recusing themselves from official actions which affect their own financial interests, or the financial interests of a member of their family, a business partner, a close personal friend, etc.

Section 18.4 It is important to ensure that Planning Board members are not, or do not appear to be, communicating privately during Planning Board meetings and public hearings,. Toward this end, the following requirements shall be met:

- A. Cellphones shall be muted at all times.
- B. No side conversations between Planning Board members, or between Planning Board members and audience member(s), shall take place.
- C. Use of laptops and other electronic devices, including cellphones, shall be limited to the Planning Board Chair, or their designee, and the Planning Board Administrative Assistant.

Section 18.5 Individual Planning Board members shall not meet to discuss Planning Board business or matters currently before the Planning Board with an applicant and/or their representative outside of a Planning Board meeting unless authorized to do so by the Planning

Board Chair or their designee. For administrative purposes only, the Chair, or their designee, may meet jointly with the Planning Board Administrative Assistant, the applicant, and/or their representative.

Article 19: Site Visits

Section 19.1 A “site visit” is defined as a visit by the Planning Board to a location that is the subject of an application before the Planning Board. All site visits shall be announced at a regular meeting of the Planning Board. The visit shall be in the company of the owner, applicant, and/or the representative of the owner or applicant, when it involves visiting areas which are not customarily available for public inspection.

Section 19.2 No formal motions shall be made, nor votes taken, during a site visit. Posting of an official site visit agenda is at the discretion of the Planning Board and is not required.

Article 20: Regulations Governing Fees and Fee Schedules

Section 20.1 The Planning Board may review and revise its rules, regulations, and fee schedules from time to time as it sees fit. Such changes shall occur by majority vote of the Planning Board members present at a scheduled meeting. The Planning Board Administrative Assistant is responsible for immediately filing a copy of the changes with the Town Clerk, at which time they shall become effective.

Section 20.2 The Planning Board may impose reasonable fees for the review of applications which come before it. These include Project Review Consultant Fees as described in Article 22.

Article 21: Waivers from these Rules and Regulations

The Planning Board may waive any of the provisions contained herein by majority vote of the members present in circumstances where their strict implementation would be detrimental or counterproductive to the issue before it, and where such waiver would not be in violation of any local or state regulation, bylaw, or statute. Any such waiver must be voted upon at a regularly scheduled meeting of the Planning Board and be reflected in the minutes of the meeting and record of the particular case to which it applies.

Article 22: Planning Board Personnel

Section 22.1 The Planning Board may employ staff positions such as a Town Planner, Administrative Assistant, and any other position that is deemed necessary to accommodate department needs, as approved through the appropriate Town process.

Section 22.2 A Town Planner's primary responsibilities are to carry out the Town's development review process, to manage the administrative and planning operations of the Planning Board, and to carry out the duties and responsibilities identified in the approved job description for this position.

Section 22.3 The primary responsibilities of the Administrative Assistant are to assist the Planning Board with processing and tracking applications, to oversee the day-to-day financial and communication operations of the Planning Board, and to carry out the duties and responsibilities identified in the approved job description for this position. The Administrative Assistant position, as currently designed, also works with the Zoning Board of Appeals and the Assessor's Office and reports directly to the Town Administrator.

Article 23: Budget and Finance

The Chair, or their designee, is responsible for preparing the annual Planning Board budget and managing the Planning Board budget and accounts with assistance from the Administrative Assistant.

Article 24: Project Review Consultant Fees (Peer Review)

Section 24.1 The Planning Board, at its sole discretion, may determine that a proposed project's size, scale, complexity, potential impact, or particular land use warrants retaining the services of licensed professionals and/or independent consultants in a given field. Such consultants shall provide professional guidance to assist the Planning Board with the review and analysis needed to make informed decisions that comply with all relevant laws and regulations. The Planning Board shall select and retain for a reasonable fee such consultants at the expense of the applicant.

Section 24.2 Outside consultants may be retained to assist the Planning Board with Special Permit, Site Plan, Subdivision, and Stormwater Management applications under MGL Chapter 40A, Section 9, and MGL Chapter 44, Section 53G.

Section 24.3 Project Review Consultant Fees shall be based upon an estimated review cost. Upon notice of receipt, Review Fees shall be deposited in an account established pursuant to MGL Chapter 44, Section 53G. No decision shall be granted until such fees have been paid in full by the applicant.

Section 24.4 The Planning Board Administrative Assistant shall send copies of plans to three or more reputable engineering firms in the local area requesting bids to be submitted by a certain date. Independent project consultants will submit a scope of work and all associated predictable costs for their services as requested by the Planning Board for review prior to being retained for their services. No supplemental change orders shall be approved unless deemed necessary by the Chair and approved by a majority vote of the members present at a scheduled Planning Board meeting.

Section 24.5 As a condition of approval of a Site Plan Review, Special Permit, Subdivision, or Stormwater Management application, the Planning Board may require a Project Review Consultant Fee for the purpose of ensuring the availability of funds during the inspection phase of the project.

Section 24.6 Project Review Consultant Review Fees received from applicants are to be deposited in a special account as set forth in MGL Chapter 44, Section 53G.

- A. The Planning Board Administrative Assistant shall forward Project Review Consultant Fees to the Treasurer for deposit in the Consultant Review Account.
- B. Outside consultants retained by the Planning Board to assist in the review of an application shall be paid from the Project Review Consultant Account.
- C. A copy of the latest statement from the banking institution handling the Project Review Consultant Account shall be forwarded by the Treasurer to the Planning Board as soon as it is received to ensure timely and accurate accounting.
- D. The Treasurer shall prepare a report on activity in the Project Review Consultant Account on an annual basis. The Treasurer shall submit this report to the Board of Selectmen and the Town Administrator for their review.

Section 24.7 Appeals.

- A. The Planning Board Administrative Assistant shall notify the applicant of the consultant selection prior to initiation of consultant efforts. As provided in MGL Chapter 44, Section 53G, the applicant may appeal the selection of the consultant to the Board of Selectmen on grounds that the consultant selected has a conflict of interest or does not possess the required minimum qualifications.
- B. To initiate an appeal, the applicant must notify the Town Clerk within seven (7) calendar days of notice of the selection. If no decision is rendered by the Board of Selectmen within one month of said appeal, then the Planning Board consultant selection shall prevail.
- C. The required time limits for action by the Planning Board on an application shall be extended by the time needed to resolve the appeal. Such an appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided in MGL Chapter 44, Section 53G.

Section 24.8 Failure of an applicant to pay Project Review Consultant Fees determined by the Planning Board may be grounds for application disapproval.



Real Estate Services Technical Assistance FY21 Call for Proposals

MassDevelopment's Real Estate Services Department seeks proposals from cities and towns seeking to address specific economic development challenges. Proposals will be accepted through September 4, 2020.

About MassDevelopment's Real Estate Services Technical Assistance Program

Working closely with municipal officials, planners, local stakeholders and others, the Real Estate Services team provides technical assistance to address site-specific and/or district-wide economic development challenges through creative solutions and clear, implementable action steps. Real Estate project managers provide in-house expertise and work with "house doctor" consultants to complete each project. Staff are located in each region of the Commonwealth and understand the unique assets and challenges of each area. Please visit the Real Estate Services [Technical Assistance website](#) for examples of recently completed projects.

Real estate services technical assistance awards may range from approximately \$5,000 to \$50,000. MassDevelopment encourages monetary contributions from the municipality, community or regional development organizations, or other outside entities on all projects, but will require a monetary contribution for projects that applicants expect to exceed \$50,000 in services.

For questions about the call for proposals process, please contact Christine Madore, Vice President Real Estate Services, at cmadore@massdevelopment.com or 617-330-2053. To contact your regional MassDevelopment Real Estate Services staff person, please refer to this [map](#).

Selection Process and Timeline

Proposals must meet one or more of the eligibility criteria outlined in the below section. MassDevelopment's Real Estate Services Department will also evaluate proposals and make awards based on the following criteria:

- o Availability of budget and appropriate house doctor consultants
- o Regional team capacity
- o Municipal commitment to work in partnership with MassDevelopment on the project
- o Municipal capacity to implement and advance next steps upon completion of work

Proposals will be accepted through September 4, 2020. All Massachusetts municipalities are eligible to apply. We anticipate that applicants will be contacted by a member of the Real Estate Services Team about their proposal in October. The timing for project commencement will be worked out with each successful applicant.

Repayment and Required Memorandum of Agreement

All applications for site or building specific assistance shall support publicly owned property. All site-specific assistance will also require repayment of funds if the municipality eventually disposes of the site. All municipalities that receive Real Estate Services Technical Assistance awards shall sign a Memorandum

of Agreement with MassDevelopment prior to project commencement. Please see the [Memorandum of Agreement Template Document](#) here. Section 6 specifically outlines details on repayment requirements and terms.

NOTE: Applicants have the ability to save their work before submitting. To do so, please select the button at the bottom right of the form. You will be given a unique url with which to access your in-progress application. You may copy this URL or email it to yourself through the online interface.

Eligibility Criteria *

- Attract or retain jobs
- Create housing opportunities
- Result in the redevelopment of urban, blighted and/or surplus public property
- Help economically disadvantaged communities
- Advance smart growth
- Advance planning and pre-development activities to a point where the private sector is compelled to invest in the project area

To be eligible, your project must meet one or more of the eligibility criteria. Please check the appropriate boxes that apply to your proposed project.

Technical Assistance Opportunities

(Select one that applies)

Application Type *

- Master Planning and Visioning for Sites and/or Districts
- Market Feasibility and Financial Analysis
- Surplus Property Reuse and/or Activation Assistance
- Local District Management Technical Assistance (e.g., District Improvement Financing, Businesses Improvement District)
- RFP/Q Development and Process Management
- Regional Economic Development Planning
- Other

Note: All applications for site-specific assistance shall support publicly owned property. In cases where the funding benefits a specific site or building, MassDevelopment services will be provided on a reimbursement basis pending the disposition of the property for reuse. District-focused efforts are eligible to apply for assistance, but city/town-wide planning efforts will not be considered.

If you have applied for resources for this project through other programs (either currently or in the past), please identify them and the status of the request.

Applicant Details

Application Type *

- Single-Entity Application
- Joint Application

Joint applications from multiple cities/towns require a letter of support signed by all parties. This document should be uploaded as a PDF in the "Letter of Municipal Support" section below and ideally should be on the letterhead of the primary applicant entity. All joint

applicant entities should be added as "Project Partners" using the button below.

Name of Municipality *

Please enter name of primary applicant (organization or municipality).

Primary Applicant Contact Information *

Title

Please provide a point of contact for the application.

Email *

Phone

Website

Address

Joint Applicant Information

Is the municipality a Community Compact community?

Yes No

Is the municipality a Gateway City?

Yes No

Project Information

Project Name *

Is this a site specific project?

Yes No

Is there community support for this project? *

Yes No

Is this project consistent with recent local planning efforts? *

Yes No N/A

Brief Description of site/area (please also attach a map clearly outlining the site/area) *

Map depicting project site/area *

or drag files here.

Is site/area zoned for intended use? *

Yes No

Provide a brief description of current zoning of site/area:

Please identify any factors that may need to be addressed to achieve the intended use/s:

- Revised Zoning
- Site Permitting
- Site Survey
- Environmental Assessment
- Infrastructure Upgrades
- Transportation Improvements
- Adjacent Site Acquisition
- Other

Existing Uses

Please summarize all existing, active uses on site.

Past Site/Area Uses (Impact to Development)

Please describe any known past uses of the site or area that may impact development. In particular, please describe any known contaminating uses.

Describe Site/Area Access (include distance to nearest highway and interchange as well as description of rail and transit access if relevant)

Is the site/area being actively marketed?

Yes No

Please describe any active or recent private development interest in the site/area. If applicable, please note reasons why past interest did not result in development.

Proposed Project Description

Briefly describe the proposed project including a description of the project, why this project is prioritized as a municipal need, and any current or previous work (studies, site surveys, etc.) completed in relation to this specific site/area. Please also describe how this work compliments other municipal, regional or state initiatives that have taken place related to this site/area. *

Anticipated Scope of Work & Budget

Anticipated Project Budget

Please list the specific tasks and estimated budget per task that you believe MassDevelopment will be able to assist the municipality with in achieving the proposed project concept as described above. *

Project Outcomes Anticipated / Next Steps

Outline the anticipated outcomes the municipality hopes to achieve with this project and any specific work product the municipality anticipates as a deliverable at the end of this project. *

Municipal Commitment

Provide a signed statement from an authorized municipal official (Mayor/Town Manager) to submit this application. Include commitment of matching funds, if applicable.

Letter of Municipal Support *

or drag files here.

Submittal

Thank you for providing a MassDevelopment Real Estate Services project proposal. To complete your submission, please click the "Submit" button located towards the bottom left corner of your screen. You should receive a notice in your browser window and an email (to the address listed under Primary Applicant Contact Information) confirming your submittal.

To stay current on program updates or to learn about other Real Estate Technical Assistance programs, please refer to the [MassDevelopment Technical Assistance webpage](#). Please reach out to Christine Madore, Vice President Real Estate Services, at cmadore@massdevelopment.com or 617-330-2053 or any member of the Real Estate Services team with questions about the program or the call for proposals submission form.



Mixed Use Zoning

A Planners' Guide



Prepared by the
Metropolitan Area Planning Council
with support from
The Minuteman Advisory Group on Interlocal Coordination and
the Commonwealth's Priority Development Fund

Mixed Use Zoning: A Planners' Guide

This basic guide to mixed use zoning presents the fundamentals you need to plan a mixed use bylaw:

- What is mixed use?
- What are the benefits to your community? To developers?
- What is the best process to plan mixed use zoning?
- What issues should you consider in designing a bylaw?
- How can you educate the public and address citizen concerns?

This guide is based primarily on the experiences of five suburban communities currently preparing bylaws with assistance from the Metropolitan Area Planning Council (MAPC), supported by grants from the state's Priority Development Fund. MAPC also investigated the mixed use experiences of other communities in the region and elsewhere in the state. Preparation of this guide, a companion guide and technical appendix for citizens, and many of the public education materials used to shape the bylaws and educate the public were developed with additional funding from the MAGIC subregion.¹

What is Mixed Use?

Traditional zoning was developed during a time when factories and many commercial uses were noisy, smelly, and/or hazardous to the public. To protect public health and residential property values, early zoning focused on separating different uses and buffering them from each other to minimize nuisances.

Today, much commercial development is environmentally benign, and there are often advantages to locating different uses in close proximity. Mixed use concentrated development, preferably near transit, is seen as a key “smart growth” tool to reduce auto dependence and preserve green space and natural resources. Thus many communities are turning to “mixed use,” which generally refers to a deliberate mix of housing, civic uses, and commercial uses, including retail, restaurants, and offices.

Mixed use itself is not a new idea. Housing above stores was common in village centers before the advent of zoning, as this 1865 photograph of Harvard Square, Cambridge, shows.



¹ MAGIC – the Minuteman Advisory Group on Interlocal Coordination – is a subregion of the Metropolitan Area Planning Council (MAPC). MAGIC consists of officials from Acton, Bedford, Bolton, Boxborough, Carlisle, Concord, Hudson, Lexington, Lincoln, Littleton, Maynard, and Stow.

Mixing uses, however, works best when it grows out of a thoughtful plan that emphasizes the connectivity and links among the uses. Results may be haphazard when communities simply enable multiple uses without providing guidance about the mix of uses and how they are spatially related.

To achieve well-planned mixed use development, most of the bylaws described in this guide are “overlay” districts. This means that the underlying zoning remains in place. Developers may choose to develop according to the underlying zoning or, alternatively, according to the mixed use provisions. The overlay encourages coordinated, cohesive development among lots or through lot consolidation. The overlay approach is especially useful when the community wants to promote a unified approach in an area where there are two or more underlying districts.



If the community wants to encourage mixed use, the overlay should be structured to be attractive to developers and the requirements should not be onerous. The municipality typically retains control through the special permit process and can turn down any development not to its liking.

What are the Benefits of Mixed Use Development?

Different communities choose mixed use for different reasons. Some see it as an excellent way to incorporate a mix of housing types on a small scale while enhancing traditional town character. Others see it primarily as a vehicle for revitalizing struggling areas and spurring economic development. Still others use it to create or enhance village centers. Listed below are some of the many benefits of mixed use development:

- Spurs revitalization
- Encourages high quality design by providing both greater flexibility and more control
- Preserves and enhances traditional village centers
- Promotes a village-style mix of retail, restaurants, offices, civic uses, and multi-family housing
- Provides more housing opportunities and choices
- May increase affordable housing opportunities
- Enhances an area’s unique identity and development potential (e.g., village centers, locations near bike paths, or “gateway” areas that announce a community’s strengths)
- Promotes pedestrian & bicycle travel
- Reduces auto dependency, roadway congestion, and air pollution by co-locating multiple destinations
- Promotes a sense of community
- Promotes a sense of place
- Encourages economic investment

- Promotes efficient use of land and infrastructure
- Guides development toward established areas, protecting outlying rural areas and environmentally sensitive resources
- Enhances vitality
- Improves a municipality's Commonwealth Capital score
- Embodies "Smart Growth"
- Increases revenues

Although mixed use is especially applicable near public transportation, it has advantages for other areas as well. Benefits include the preservation of undeveloped or environmentally sensitive land elsewhere in the community, opportunities for more or different housing, bicycle and pedestrian-friendly destinations, and an enhanced sense of place or sense of community.

In developing a bylaw, communities should select the advantages that best apply and structure the provisions to accomplish these goals.

What is the Best Process to Plan Mixed Use Zoning?

In the communities we studied closely, mixed use was recommended in local Master Plans, Comprehensive Plans, Community Development Plans, or other studies. The plans themselves were the product of substantial public participation, involving the buy-in of local officials, planners, developers, property and business owners, and other interested citizens. The towns then officially adopted the plans. Thus they began with some community expression of a will to move forward with mixed use as one of a number of strategies to improve future development.

Going from concept to location-specific plans is often a challenge, evoking fears and strong emotions. It is wise to keep people involved in the process as the bylaw evolves and get their input into both the overall concept and the details. Participation by potential developers and existing property owners is especially important in shaping the bylaw.

One way to engage the community is to do a Visual Preference Poll to show examples of mixed use and gather citizen feedback on what they like and don't like. To do this, we compiled a Powerpoint presentation showing examples of mixed use in the region. We asked residents to vote for those they would like to see in the areas being considered for mixed use in their community. We then went back through the presentation and asked them to identify the features they liked and the features they did not like. Some of the examples appear in this guide. A sample Visual Preference Poll is also available on CD-ROM for use in your community.

The Visual Preference Poll is useful in gathering input about building heights, massing, materials, style, pedestrian amenities, signage, and other close-in features. It does not readily gauge the larger context, the mix of uses, the relationship among different structures and uses, multi-building landscaping and design features that create connectivity and pedestrian flow, or parking areas relative to multiple locations.

Mixed Use in Practice



New Mixed Use in Canton

The five communities we worked closely with are Bedford, Millis, Southborough, Stoughton, and Stow, all suburban and some quite small. We also reviewed the experiences of other communities, most notably Canton, where a mixed use bylaw passed and a new development, with housing, retail, and offices, was built near the Canton Center Rail station.

Specific areas in each town were chosen for a variety of reasons. Some, like Depot Park in Bedford, already had some improvements but also had ripe revitalization potential.



Bedford's Depot Park Improvements



Bedford Opportunities

Others, like the Lower Village area in Stow, are places where housing and a mix of uses would create more of a village atmosphere and improve the “gateway” potential of this main route into town.

In most cases, the vision is to create a vibrant and attractive village-style area with a lively mix of housing, retail, restaurants, offices, and other compatible uses.



Stow Lower Village



←← Vision for the Village Center at the former South Weymouth Naval Air Station

Although the Visual Preference Poll is useful in shaping certain aspects of the bylaws, especially the design standards, you will need to supplement it with additional discussion of a range of issues, many of which are presented below.

It is critical that these issues be aired fully and resolved in advance of consideration on the floor of Town Meeting or before Town or City councils.

What Should You Consider in Drafting a Bylaw?

Using an Overlay District vs. Changing Underlying Zoning

An “overlay” district is a zoning district that is superimposed over one or more existing districts in order to impose additional restrictions, permit additional uses, or implement density bonuses or incentive zoning to achieve community goals.² In the case of mixed use zoning, it is used to allow added uses and to provide incentives to achieve local goals. Thus developers can develop either according to the underlying zoning or according to more flexible mixed use provisions.

The overlay, as we have noted, encourages coordinated, cohesive development across lots or through lot consolidation. Rather than allowing piecemeal development, it encourages a sense of place over a larger area. The overlay allows the community to enable and require a mix of uses and to control their features. Changing the underlying zoning to allow a mix by right would only enable the mix but would not require it nor would it control it via the special permit process. The overlay concept is especially useful where the desired mixed use area crosses zoning district boundaries or includes only a piece of a district or where the community wishes to protect commercial or industrial uses in parts of a district.

Selecting the Permit-Granting Authority

Mixed use proposals should be reviewed and authorized by a board with substantial planning expertise and the ability to act with relative speed. The longer and less predictable the approval process, the less likely it is that developers will choose the mixed use route. Most of the communities in our study selected the Planning Board as the most appropriate review and approval body. The Planning Board generally has more design and development negotiation experience than the Zoning Board of Appeals. The Planning Board process is substantially less cumbersome, more expeditious, and more consistent and predictable than Town Meeting. In some communities, however, the Zoning Board traditionally grants special permit and residents may be more comfortable with that arrangement. In this guide, we simply refer to the permit-granting authority as “the board.”

² Mark Bobrowski, *Handbook of Massachusetts Land Use and Planning Law*, 1993, p, 480.

Balancing Incentives and Requirements

To encourage developers to use the mixed use option, the bylaw needs to include incentives and provide for community control while avoiding excessively burdensome requirements. It is easy for local boards to be carried away by utopian visions of the ideal development, but if the bylaw raises too many hurdles it will never be used.

The choice of incentives and requirements should be based on the community's goals and the purpose of the bylaw. A town that is primarily trying to promote revitalization, for example, may have less stringent housing requirements than one where affordable housing is a primary goal. Thus the proposed Bedford bylaw, geared toward revitalization, requires 10 percent affordable housing in developments of eight units or more while Southborough, where affordable housing is a key goal, is considering 20 percent in developments of four units or more.³

The choice of incentives should also consider what is most likely to appeal to developers in the areas under consideration. Communities may choose from a number of potential incentives, such as:

- The ability to build certain kinds of housing (e.g., multi-family or small units) where it is not otherwise allowed
- More flexible design standards
- Less open space where flexibility produces better design
- Less parking, provided that adequate parking is achieved through such alternatives as shared parking arrangements; higher reliance on public transportation, bicycling, or walking; or transportation demand management techniques
- Streamlined permitting

In balancing incentives and requirements, it is important to remember that the community retains control through the special permit process. The special permit ensures high quality design. The board may always say no or negotiate more desirable design.

Setting the Tone and Establishing the Scope

Mixed use is intended as an improvement over traditional, segregated-use zoning. It often derives from a positive vision of a more desirable community. The bylaw should help set this tone, emphasizing what the developer can do while limiting prohibitions. Sometimes even a prohibition can be affirmatively phrased; “up to” 40,000 square feet sounds more affirmative than “no more than” 40,000 square feet.

The bylaw should spell out its purposes, goals, and benefits and may include positive performance criteria and design standards. The bylaws in our study rely heavily on these components to set the tone and to give the board the tools to support good design.

³ Most of the bylaws referred to in this guide are still works in progress and have not yet been adopted. Provisions could change radically or be rejected totally.

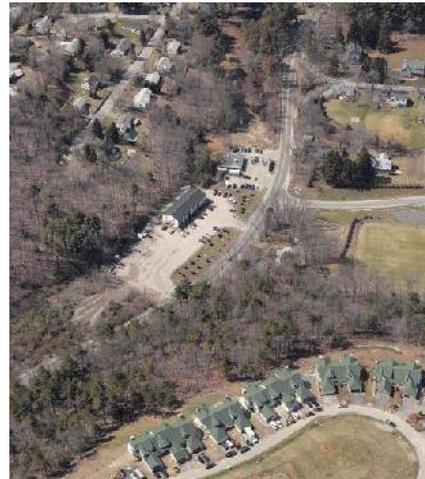
Application procedure requirements and document submission information should go at the end of the bylaw, appearing after the reader is engaged by the mixed use concept. In general, those bylaw provisions that mirror other local bylaws should simply refer to the applicable sections without repeating the details.

Selecting the Areas and Boundaries

Our study communities selected for mixed use those areas where

- Run-down properties were prime candidates for redevelopment;
- Existing zoning limited creativity; and/or
- Village-style development would improve community character.

Some of the most underutilized or unattractive sites are currently zoned for industrial uses. Communities are faced with a challenge in dealing with these sites. On the one hand, the properties could be much more attractive as village-style mixed use development. On the other hand, industrial property is a limited but necessary resource, and there is some reluctance to give it up. These competing factors will play themselves out in the selection of areas and their boundaries.



Establishing boundaries for mixed use districts is very site-specific. In general, boundaries should be selected to protect desirable existing uses and properties and to ensure smooth transitions to surrounding areas.

Some communities, such as Southborough, chose to start small with the hope of potentially expanding later. Other communities, such as Stow, selected larger areas, incorporating “A” and “B” subareas to ensure a gradual transition to and from the neighboring residential areas.

As with the other issues outlined here, the choice should be based on substantial input from local officials, property owners, developers, abutters, and other citizens.

Achieving Good Design

Many of these elements of good design apply to all development, and it is beyond our scope to discuss them all here. However, certain aspects seem especially relevant to mixed use and thus are included here.

Variations in Approach

There are two basic ways communities can regulate the design of new development, whether mixed use or single use. One is to set specific density standards such as units per

acre, floor area ratio, or percent lot coverage limits. The other is to establish more general design criteria and performance standards and use the special permit process to negotiate the outcomes. In this latter approach, parking and water and sewer infrastructure, along with design elements such as connectivity, walkability, and architectural features, are used to guide development.

In the case of mixed use, several of our study communities have opted to omit specific density standards in the belief that greater flexibility will lead to better design. This approach seems in keeping with the vision of mixed use as more flexible, innovative, and context-sensitive than traditional zoning. The approach is open to debate. Some believe that density itself is seldom the problem; bad design is. Others say that citizens need more assurance that development will not be too dense and developers prefer clearer rules. Knowledge of your community's predilections will help you gauge which approach is most appropriate. A compromise might be to limit density but allow it to go higher under certain circumstances or to cap the total number of units over a given number of years.

Design Features in a Mixed Use Setting

Balanced mix of uses: To be successful, a mixed use district should include a balanced and vibrant mix of compatible uses, with first floor street-front uses generally reserved for retail, restaurant, and in some cases office uses. The proposed bylaws in our study communities encourage this mix by regulating first-floor street front uses and by incorporating a goals and performance criterion that considers a development's mix and its impact on the existing mix. Thus they allow residential uses on first floors of buildings or parts of buildings only where they are behind those with street frontage or where the permit-granting authority deems these uses not to have an adverse impact. These bylaws also allow uses to be commingled in a single structure or located in separate structures on site.

Other communities set limitations on the percentage of certain uses relative to other uses. For example, Canton allows one housing unit for every 2,000 square feet of buildable lot area and also allows for 3,000 square feet of commercial development for each 10,000 square feet of land area. Bedford limits the floor area ratio (FAR) of each of the various possible uses within its existing Industrial Mixed Use Overlay district.

Connectivity of uses: Traditional bylaws tend to emphasize buffering and protecting one use from others. Successful mixed use, by contrast, encourages links among uses. It encourages people to walk from one use to another and to enjoy and socialize in an attractive outdoor setting. Many design features promote this ambience. They include the layout and orientation of buildings; the network of sidewalks and pathways; the location of parking relative to structures and walkways; and the amount and placement of green space, landscaping, benches, and other amenities.

The bylaw should authorize the board to consider these factors in approving permits. Specifics may include requirements for parking to be behind or next to buildings rather

than in front. The community may wish to adopt separate design guidelines to provide more information and positive examples to developers.

Active street frontage: In addition to the first-floor street-front use provisions mentioned earlier, communities influence street frontage through setbacks and other yard dimensions. Thus our study area bylaws allow a zero minimum front yard depth in some areas, set a maximum front yard depth, and prohibit front yard parking.

Compactness: The walkability of a mixed use development depends on the proximity of structures. Thus some bylaws set dimensional requirements that allow a zero side-yard width and a zero rear yard depth except where the property abuts a residential district.

Compatibility with town character and historic or traditional context: Although the bylaw should authorize the board to consider compatibility in awarding permits, the elements of such compatibility are generally no different in a mixed use setting than in any other new development. Hence, whatever guidance applies to other new development can simply be incorporated by reference in the mixed use bylaw.

A few caveats apply, however. If the community wants to encourage creative design rather than strict adherence to historic styles, the bylaw should stress “compatibility” rather than words like “consistency,” “conformity,” or “compliance.” If the proposed mixed use area has special historic importance, it would be wise to acknowledge and affirm it in the bylaw to ensure people that their heritage will be respected and that local historic preservation rules will apply.



Good bicycle and pedestrian access: One of the key benefits of mixed use is its emphasis on walking and bicycling to reduce auto dependence. Mixed use bylaws can promote walking and bicycling by including bicycle parking and storage facilities, creating a network of walkways among uses, minimizing curb cuts, and requiring that automobile parking be in back.

The Depot Park area of Bedford, one of the proposed study bylaws, is especially geared toward cyclists and pedestrians. It is located at the terminus of the Minuteman Bikeway and already has a bicycle repair shop as well as a vintage railroad station, freight house, and passenger car recalling the park’s historic role in rail transportation. The town envisions complementing and capitalizing on these features with small-scale restaurants, housing, and fitness or health-related uses.

Reduced parking: Under certain circumstances, mixed use districts may set aside less parking than in traditional, single use settings. Reductions could occur near public transportation, where uses are clearly at different times and can share the same spaces, or

where there is a strong program to manage transportation demand. For the town to allow such reductions, the public would need to be assured that the resulting parking is adequate to meet the need.

Determining Appropriate Uses

The mixed use bylaw should allow housing, including multi-family, as well as retail, restaurants, offices, and civic uses. Other uses may include housing for the elderly, personal services shops, child care facilities, recreation, and municipal uses. Although the use categories in the underlying district must be allowed, subcategories may be disallowed. Our study areas exclude those subcategories that are not conducive to their village-style vision (e.g., drive-through establishments, storage trailers, and adult entertainment).

Incorporating Housing

One of the main reasons to allow mixed use is to promote a greater variety of housing choice, including smaller units, more multi-family, and perhaps more rental than is typical in new suburban development. The bylaw should spell out the type of housing that is allowed, may regulate unit size or numbers of bedrooms, and may require some affordable units. If the community chooses to require some affordable units, it will need to specify the threshold number of units, the percentage of affordable units, target income eligibility levels, and other provisions similar to other affordable housing or inclusionary zoning bylaws. If the community already has detailed housing provisions, it may simply incorporate them by reference. Stow, for example, has an existing bylaw governing the inclusion of affordable units, and most of its elements are applicable to mixed use.

As mentioned earlier, the extent of the affordability requirements depends on the community's overall goals and the balance of incentives and requirements needed to achieve those goals.

How can you Educate the Public and Address Citizen Concerns?

Drafting a bylaw and adopting a bylaw are two different things, as any active citizen can attest. To get a bylaw successfully through the local legislative process requires an educated public and supportive interest groups and stakeholders. Zoning bylaws are notoriously complex. Bringing a complex proposal to the floor of Town Meeting without first "doing your homework" is a recipe for failure.

Outlined below are some of the key strategies, many of them mentioned elsewhere in this guide, in achieving strong public support.

- Base the proposal on an existing, approved plan, such as a Comprehensive or Master Plan, a Community Development Plan, a Housing Strategy, or a similar study developed with substantial public participation.
- Involve the public and stakeholders early in the process and seek their input in developing the bylaw. Stakeholders include local officials, developers, the

- business community, abutters, environmental and other advocacy groups, property owners, and citizens at large.
- Address public concerns. Fears about density, property values, and changes in community character are common. Proponents of mixed use can address these issues by presenting documentation to dispel myths and/or by including protections within the bylaw itself.
 - Ask interest groups, especially those with competing interests, to speak out publicly and to take an active role in outreach.
 - Allow plenty of time to build understanding and support.
 - Engage the local media. Mixed use examples with graphics lend themselves to feature articles and cable presentations.
 - Use visuals of existing “success stories” and of opportunity areas in your community. Powerpoint presentations are an excellent way to tell the story. They can be shown to Town Meeting as well as to local groups such as the Chamber of Commerce.

For More Information

Proposed bylaws for the communities in this study are available from MAPC. Two other documents are also available: *Mixed Use Zoning: A Citizens' Guide*, designed to educate the public and promote mixed use; and a *Technical Appendix*, designed for citizens to use in reviewing a proposed bylaw.

MassDevelopment stands with the Baker-Polito Administration against racism and injustice. [Read more](#)

A message from MassDevelopment regarding COVID-19. [Read more](#)



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About Us

As the Commonwealth's economic development and finance authority, MassDevelopment is committed to achieving three goals: stimulating business, driving economic growth, and helping communities thrive across Massachusetts.

History

MassDevelopment **formed in 1998** from a merger of the Government Land Bank and Massachusetts Industrial Finance Agency. The Massachusetts Health and Educational Facilities Authority **was merged** into MassDevelopment in 2010, strengthening the depth of offerings for tax-exempt bond financing of capital projects.

Initiatives

MassDevelopment's work in finance and development impacts many facets of the Massachusetts economy in cities and towns across the Commonwealth. Priorities include providing low-cost and creative **financing options** for a range of organizations, sustainably **redeveloping surplus properties**, transforming the Commonwealth's **Gateway Cities**, and promoting the Massachusetts **manufacturing** and **defense** sectors.

Top initiatives at the Agency include:

Finance:

- The **Brownfields Redevelopment Fund**, which the Massachusetts Legislature established to encourage development in economically-distressed areas. MassDevelopment has administered the program since its inception in 1998 and has provided nearly 700 loans and grants to prepare hundreds of sites for redevelopment.
- The **Cultural Facilities Fund**, which MassDevelopment jointly administers with the Massachusetts Cultural Council. The Fund has made nearly \$92 million in investments in the Massachusetts creative sector for projects in 125 cities and towns.

Real Estate:

- The redevelopment of **Devens**, a former Army base that closed in 1996. The 4,400-acre mixed-use community has become a model of military base reuse, serving as an economic engine of north-central Massachusetts. **Devens businesses** include **Bristol-Myers Squibb**, which opened a major biologics plant there in 2009 and expanded the facility in 2016.
- The **Transformative Development Initiative**, which provides enhanced real estate and technical services to Gateway Cities to aid their economic redevelopment efforts.



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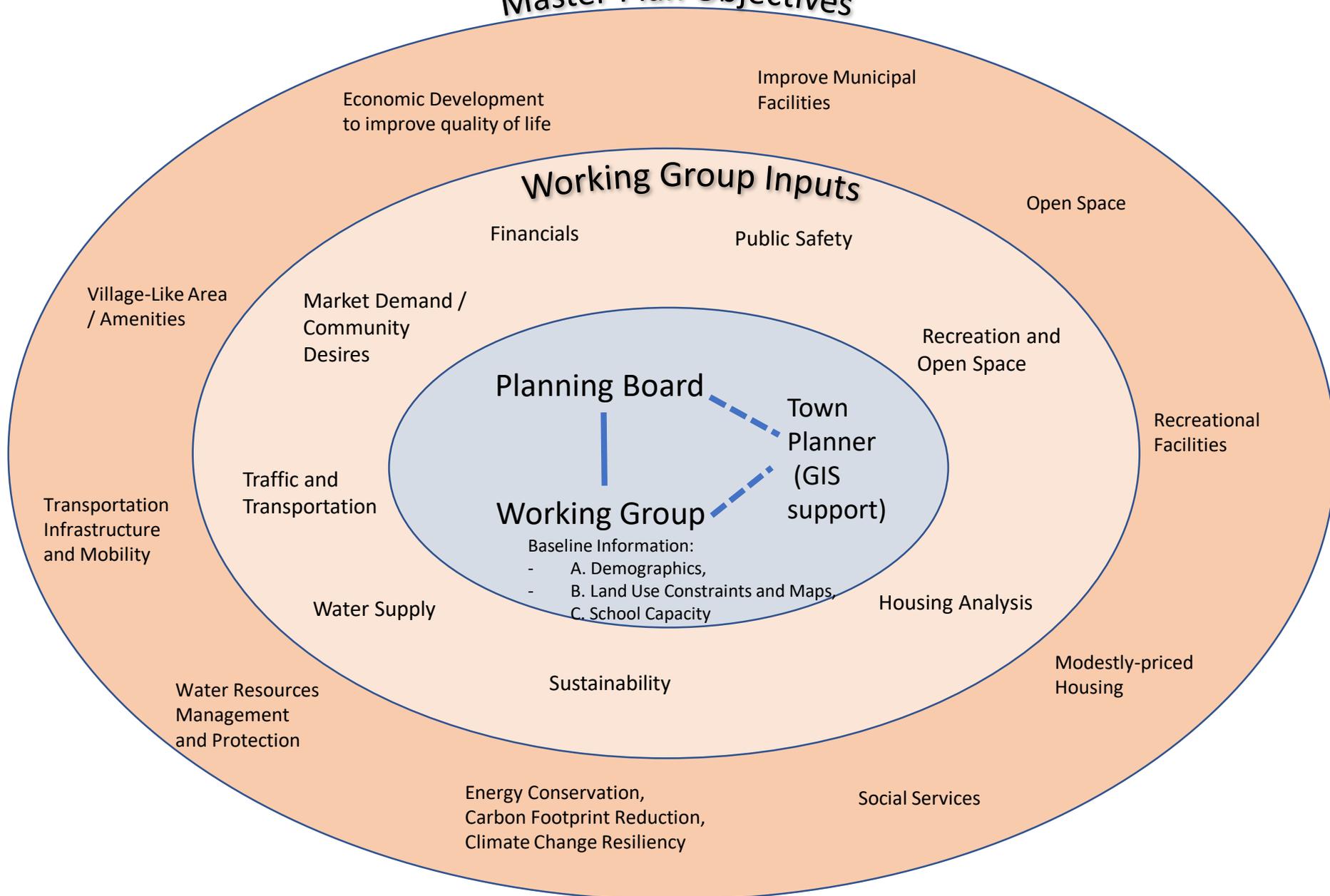
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Master Plan Objectives







8/19/2020

Fwd: entrance fence / stone work [REDACTED] Gmail

Bentley Herget

Aug 7, 2020, 12:14 PM (12 days ago)

to Ryan, Rebecca, Simon, me, Mary

Hi All,

Sorry for the delay, I am working by myself in the office. I have received your question of the fence. Please fill out a complaint form, so I can act on this. A fence of this nature does not require a building permit. Liz Nichols, Simon and I met today to discuss Liz's observation. She has stated that she does not wish to submit a complaint form.

Respectfully

Bentley Herget CBO
Building Commissioner

From: Rebecca Verner <[REDACTED]>
Sent: Thursday, August 6, 2020 5:57 PM
To: Simon Corson <[REDACTED]>; Bentley Herget <bherget@boxborough-ma.gov>
Cc: Cindy Markowitz <[REDACTED]>; Mary Nadwairski <MNadwairski@boxborough-ma.gov>
Subject: Fwd: FW: entrance fence / stone work

Hi Simon,

As mentioned, I am resending this email for full forward to the Planning Board inclusive of Design Review Board comment.

Please advise on your action items as I have not yet received any return correspondence from you or Bentley.

Thank you in advance,
Rebecca

----- Forwarded message -----

From: Rebecca Verner <[REDACTED]>
Date: Sun, Jul 26, 2020 at 2:56 PM
Subject: FW: entrance fence / stone work
To: Simon Corson <[REDACTED]>; bherget@boxborough-ma.gov <bherget@boxborough-ma.gov>
CC: Mary Nadwairski <MNadwairski@boxborough-ma.gov>

Good afternoon Simon and Bentley,

I am writing regarding the following correspondence that the Design Review Board received and reviewed together during our last meeting on July 23rd 2020.

Upon review, it is the opinion of the Board that the entry fence leaving Stow Road and accessing the Enclave project through the Sherriff's and Tisbury Meadows easement is not being installed per the approved precedent shown in the attached document 3961-S-LAND-SD09.09 prepared by ESE Consultants titled "Design Review Board Materials Exhibit" and dated 04.28.2020 (lower left hand image)

8/19/2020

Fwd: entrance fence / stone work - jacowitz99@gmail.com - Gmail

Of note is that the wood members, both vertical posts and horizontal rails appear to be significantly sized down in comparison to the precedent detail provided to the Board, likewise the vertical posts are at further intervals apart from one another. The construction of the fence is also much different and less believable as currently constructed in that the horizontal rails have been attached to the back side (as seen from the entry drive) of the vertical posts rather than the horizontal rails tying into the middle of the vertical posts creating a reveal on both sides. One can imagine how unappealing this may look from the abutting properties with the straight, uninterrupted lengths of horizontal rail.

The Board believes that it would be relevant for the Town to review the following correspondence as well as the Design Review Board's comments here and follow up with the Applicant accordingly regarding the construction of this entry fence.

Best regards,
Rebecca Verner
Design Review Board Chair

From: [Mary Nadwairski](#)
Sent: Tuesday, July 14, 2020 4:39 PM
To: [Rebecca Verner](#)
Subject: FW: entrance fence / stone work

Hi Rebecca

FYI correspondence
I'll include in packet for next mtg.
Mary

-----Original Message-----

From: elizabeth nichols [REDACTED]
Sent: Tuesday, July 14, 2020 6:39 AM
To: Mary Nadwairski <MNadwairski@boxborough-ma.gov>
Cc: S Corson <scorson@boxborough-ma.gov>
Subject: entrance fence / stone work

To the Design Review Board ;

I am writing on behalf of a few of us at Tisbury Meadow , regarding the fencing along the entrance road to the Toll Brothers development and the stone work to the right of the entrance. The fencing appears to be flat with no depth , in proportion to the massiveness of the stone pillars . What's in place now looks different from the large enhancement entrance rendering . In that rendering, it looks as though the rails are squared ... Also wondering, what is the plan for stone work on the Tisbury side of entrance .

I realize the project is still a work in progress ...

Thank you !

LEGAL NOTICE OF PUBLIC HEARING
Town of Boxborough
Planning Board – Scenic Road Permit, Public Shade Tree Removal,
& Stone Wall Alteration Application

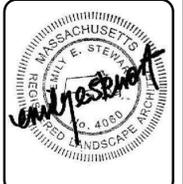
In accordance with MGL Chapter 40, Section 15C, the Boxborough Scenic Road & Public Shade Tree Requirements, and the Boxborough Stone Walls Bylaw, the Boxborough Planning Board will conduct a Public Hearing on Monday, August 31, 2020 at 7:30 PM for a Scenic Road Permit, Public Shade Tree Removal, and Stone Wall Alteration Application submitted by Boxborough Town Center, Inc. to install a sidewalk from the project site, along Access Easement C to Stow Road, and from that intersection along the west side of Stow Road to Route 111 / Massachusetts Avenue.

The subject property is identified as Assessor's Parcel # 14-053-000 and 14-054-000.

Based on current COVID-19 circumstances, this public hearing will be held in the Town Hall **or otherwise** will be held via Zoom videoconferencing. All details will be made available on the Planning Board agenda when posted, a minimum of 48 hours prior to the meeting on the town web site, www.boxborough-ma.gov.

PUBLICATION DATE(S): August 13, 2020
 August 20, 2020

SEND BILL TO: James Fenton
 Boxborough Town Center LLC
 P.O. Box 985
 West Acton, MA 01420
 Phone #: (978) 266-9751

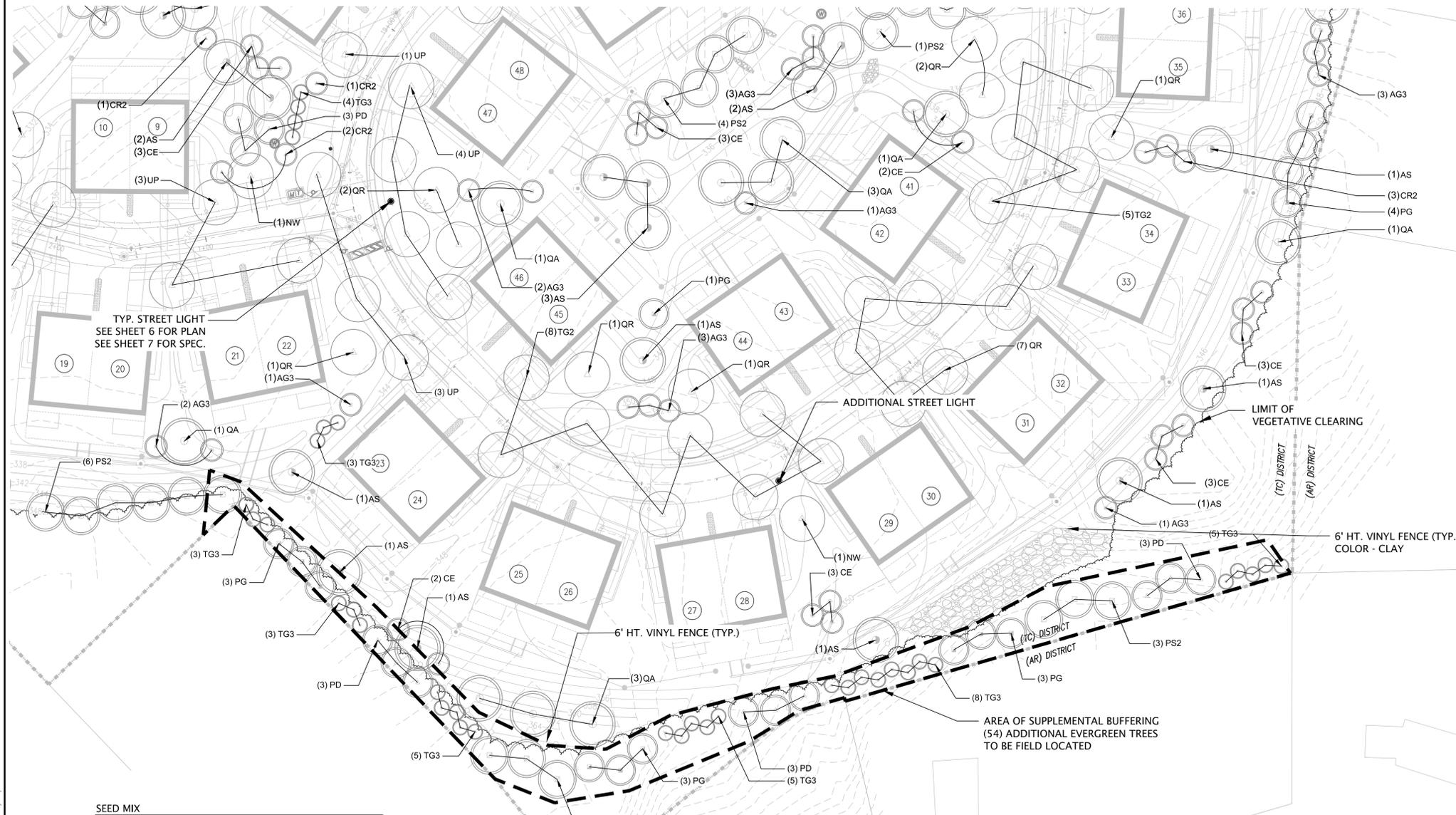


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 ESE Consultants, Inc.
 250 Gibraltar Road • Suite 2E • Horsham, PA 19044
 T: 215-914-2050

REV.	DATE	DESCRIPTION	DRAWN
5	2020.08.10	BUFFER TREE SUBSTITUTION	JTB
4	2020.07.24	SITE PLAN UPDATE TO CLUBHOUSE AREA	JTB
3	2020.06.17	ADDRESS DRB REVIEW COMMENTS	JTB
2	2020.04.28	LANDSCAPE ENHANCEMENT/ADDRESS DRB REVIEW COMMENTS	JTB
1	2019.07.31	ADDRESS LANDSCAPE PLAN REVIEW COMMENTS	JTB

LANDSCAPE PLAN
ENCLAVE AT BOXBOROUGH
 TOWN OF BOXBOROUGH, MIDDLESEX COUNTY, MA

DATE:	07.16.2019	SCALE:	AS NOTED
DESIGN:	LAC	DRAWN:	LAC
JOB NO.:	3961	FILE NAME:	3961-S-LAND
REF. NO.:	SD09.02		
SHEET NO.:	2	OF	8



SEED MIX

ERNMX-126: Basin Floor Mix - Low Maintenance
 Mix Composition
 20.0% Puccinellia distans, 'Fulte' (Alkali Grass, 'Fulte')
 19.0% Panicum clandestinum, 'Tioga' (Deertongue, 'Tioga')
 18.0% Agrostis stolonifera (Creeping Bentgrass)
 18.0% Elymus virginicus, PA Ecotype (Virginia Wildrye, PA Ecotype)
 15.0% Poa palustris (Fowl Bluegrass)
 5.0% Carex vulpinoidea, PA Ecotype (Fox Sedge, PA Ecotype)
 3.0% Juncus effusus (Soft Rush)
 2.0% Carex scoparia, PA Ecotype (Blunt Broom Sedge, PA Ecotype)
 SEEDING RATE: 30-40 LB PER ACRE, OR 1 LB PER 1,000 SQ FT
 AS PER ERNST SEEDS
 Telephone: (800)-873-3321
 Website: www.ernstseed.com

NEW ENGLAND EROSION CONTROL/ RESTORATION MIX
 Mix Composition
 Elymus riparius, (Riverbank Wild Rye)
 Schizachyrium scoparium, (Little Bluestem)
 Festuca rubra, (Red Fescue)
 Andropogon gerardii, (Big Bluestem)
 Panivum virgatum, (Switch Grass)
 Veronica noveboracensis, (New York Ironweed)
 Agrostis perennans, (Upland Bentgrass)
 Bidens frondosa, (Biggar Ticks)
 Equatorium maculatum, (Spotted Joe Pye Weed)
 Eupatorium perfoliatum, (Boneset)
 Aster novae-angliae, (New England Aster)
 Sorpus opepinus, (Wood Grass)
 Juncus effusus, (Soft Rush)
 SEEDING RATE: 35 LB PER ACRE, OR 1 LB PER 1,250 SQ FT
 AS PER NEW ENGLAND WETLAND PLANTS, INC.
 Telephone: (413)-548-8000
 Website: www.newp.com

LAWN AREA
 ERNMX-114: 5311 Conservation Mix
 Mix Composition
 30.0% Festuca rubra (Creeping Red Fescue)
 25.0% Poa pratensis, 'Kelly' (Kentucky Bluegrass, 'Kelly')
 10.0% Lolium multiflorum (Annual Ryegrass)
 10.0% Lolium perenne, 'Shining Star' (Perennial Ryegrass, 'Shining Star' (turf type))
 SEEDING RATE: 100-200 LB PER ACRE, OR 3-5 LB PER 1,000 SQ FT
 AS PER ERNST SEEDS
 Telephone: (800)-873-3321
 Website: www.ernstseed.com

PLANT SCHEDULE STREET TREES

STREET TREES	CODE	BOTANICAL NAME	COMMON NAME
	AG	ACER RUBRUM 'OCTOBER GLORY'™	OCTOBER GLORY™
	NW	NYSSA SYLVATICA 'WILDFIRE'	BLACK GUM
	QR	QUERCUS RUBRA	RED OAK
	TG2	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLE
	UP	ULMUS AMERICANA 'PRINCETON'	AMERICAN ELM

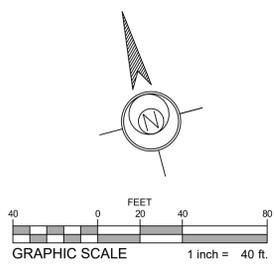
- LANDSCAPE NOTES:**
- SEE SHEET 4 FOR PLANTING DETAILS & SPECIFICATIONS
 - THESE PLANS ARE FOR LANDSCAPE PURPOSES ONLY
 - REFER TO SITE PLANS PREPARED BY DUCHARME & DILLIS.

PLANT SCHEDULE BUFFER & OPEN SPACE

BUFFER/OPEN SPACE TREES	CODE	BOTANICAL NAME	COMMON NAME
	AS	ACER SACCHARUM	SUGAR MAPLE
	AG3	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	'AUTUMN BRILLIANCE' SERVICEBERRY
	CE	CERCIS CANADENSIS	EASTERN REDBUD MULTI-TRUNK
	CR2	CORNUS X RUTGAN'	STELLAR PINK DOGWOOD
	PD	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE
	PG	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE
	PS2	PINUS STROBUS	WHITE PINE
	QA	QUERCUS ALBA	WHITE OAK
	TG3	THUJA STANDISHII X PPLICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE
BUFFER SHRUBS	CODE	BOTANICAL NAME	COMMON NAME
	CA	CLETHRA ALNIFOLIA 'PINK SPIRES'	SUMMERSWEET CLETHRA
	IG	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY
	MP	MYRICA PENNSYLVANICA 'BOBZAM'	BOBEE NORTHERN BAYBERRY
	RV	ROSA VIRGINIANA	VIRGINIA ROSE
	VT	VIBURNUM TRILOBUM 'RED WING'	AMERICAN CRANBERRY BUSH

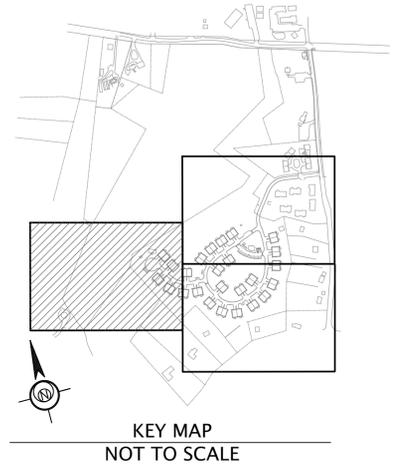
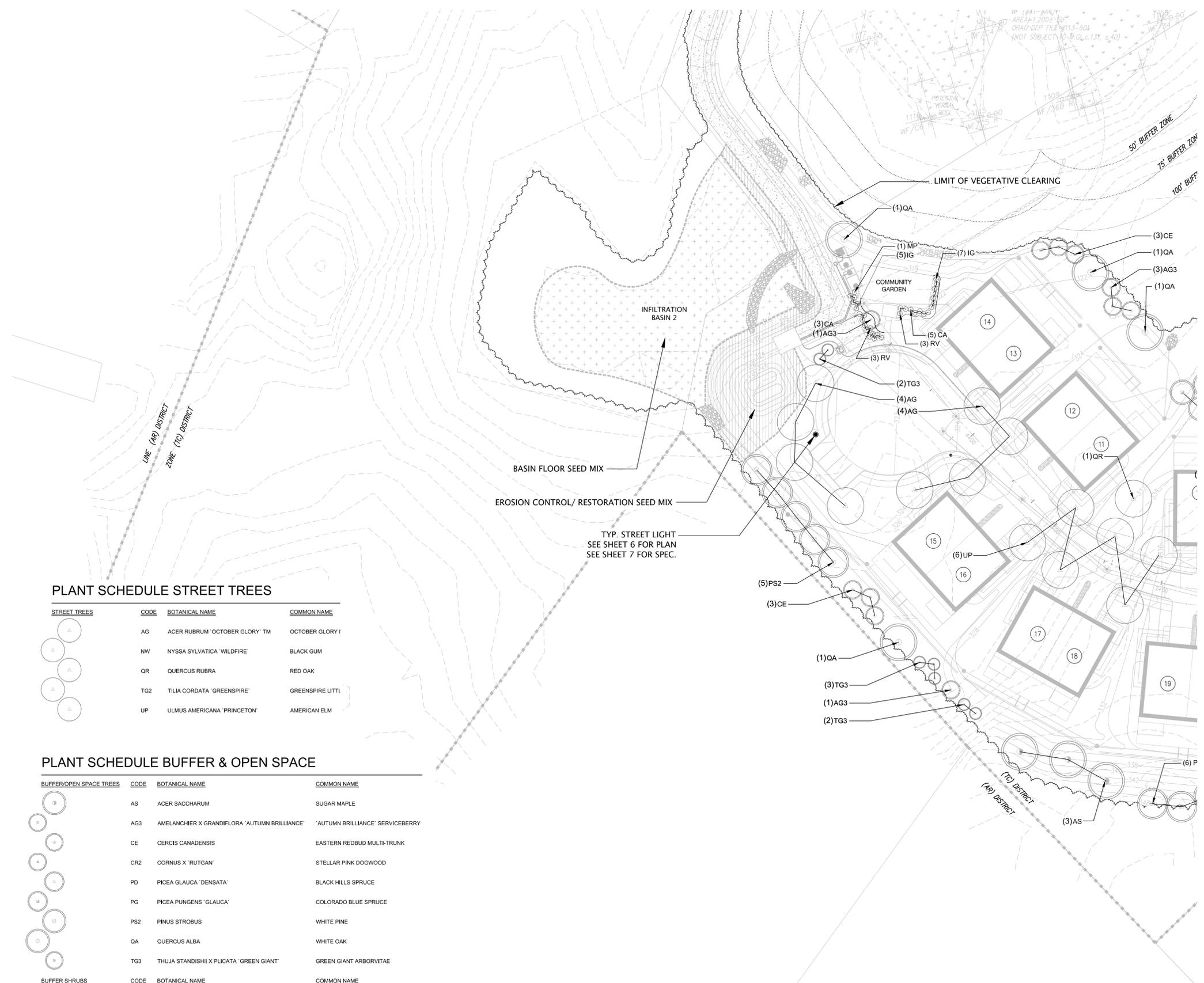


KEY MAP
NOT TO SCALE



N:\PROJECTS\MASSACHUSETTS\3961 - MINUTEMAN VILLAGE - BOXBOROUGH\LANDSCAPE\3961-S-LAND.DWG - Justin Barnett - 8/10/2020 3:05 PM

N:\PROJECTS\MASSACHUSETTS\3961 MINUTEMAN VILLAGE - BOXBORO\LANDSCAPE\3961-S-LAND.DWG--Justin Barnette--8/10/2020 3:05 PM



PLANT SCHEDULE STREET TREES

STREET TREES	CODE	BOTANICAL NAME	COMMON NAME
	AG	ACER RUBRUM 'OCTOBER GLORY' TM	OCTOBER GLORY I
	NW	NYSSA SYLVATICA 'WILDFIRE'	BLACK GUM
	QR	QUERCUS RUBRA	RED OAK
	TG2	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTL
	UP	ULMUS AMERICANA 'PRINCETON'	AMERICAN ELM

PLANT SCHEDULE BUFFER & OPEN SPACE

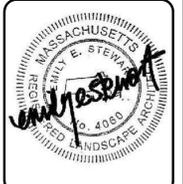
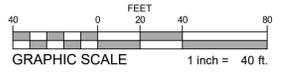
BUFFER/OPEN SPACE TREES	CODE	BOTANICAL NAME	COMMON NAME
	AS	ACER SACCHARUM	SUGAR MAPLE
	AG3	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	'AUTUMN BRILLIANCE' SERVICEBERRY
	CE	CERCIS CANADENSIS	EASTERN REDBUD MULTI-TRUNK
	CR2	CORNUS X 'RUTGAN'	STELLAR PINK DOGWOOD
	PD	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE
	PG	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE
	PS2	PINUS STROBUS	WHITE PINE
	QA	QUERCUS ALBA	WHITE OAK
	TG3	THUJA STANDISHII X PLICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE

BUFFER SHRUBS	CODE	BOTANICAL NAME	COMMON NAME
	CA	CLETHRA ALNIFOLIA 'PINK SPIRES'	SUMMERSWEET CLETHRA
	IG	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY
	MP	MYRICA PENNSYLVANICA 'BOBZAM'	BOBEE NORTHERN BAYBERRY
	RV	ROSA VIRGINIANA	VIRGINIA ROSE
	VT	VIBURNUM TRILOBUM 'RED WING'	AMERICAN CRANBERRY BUSH

LANDSCAPE NOTES:
 1. SEE SHEET 4 FOR PLANTING DETAILS & SPECIFICATIONS
 2. THESE PLANS ARE FOR LANDSCAPE PURPOSES ONLY
 3. REFER TO SITE PLANS PREPARED BY DUCHARME & DILLIS.

SEED MIX

- ERNMX-126: Basin Floor Mix - Low Maintenance**
 Mix Composition:
 20.0% Puccinellia distans, 'Fults' (Alkali Grass, 'Fults')
 19.0% Panicum clandestinum, 'Tioga' (Deertongue, 'Tioga')
 18.0% Agrostis stolonifera (Creeping Bentgrass)
 18.0% Elymus virginicus, PA Ecotype (Virginia Wildrye, PA Ecotype)
 15.0% Poa palustris (Fowl Bluegrass)
 5.0% Carex vulpinoidea, PA Ecotype (Fox Sedge, PA Ecotype)
 3.0% Juncus effusus (Soft Rush)
 2.0% Carex scoparia, PA Ecotype (Blunt Broom Sedge, PA Ecotype)
 SEEDING RATE: 20-40 LB PER ACRE, OR 1 LB PER 1,000 SQ FT AS PER ERNST SEEDS
 Telephone: (800)-873-3321
 Website: www.ernstseed.com
- NEW ENGLAND EROSION CONTROL/ RESTORATION MIX**
 Mix Composition:
 Elymus riparius, (Riverbank Wild Rye)
 Schizachyrium scoparium, (Little Bluestem)
 Festuca rubra, (Red Fescue)
 Andropogon gerardii, (Big Bluestem)
 Panivum virgatum, (Switch Grass)
 Veronica novboracensis, (New York Ironweed)
 Agrostis perennans, (Upland Bentgrass)
 Bidens frondosa, (Beggar Ticks)
 Eupatorium maculatum, (Spotted Joe Pye Weed)
 Eupatorium perfoliatum, (Boneset)
 Aster novae-angliae, (New England Aster)
 Scirpus cyperinus, (Wood Grass)
 Juncus effusus (Soft Rush)
 SEEDING RATE: 35 LB PER ACRE, OR 1 LB PER 1,250 SQ FT AS PER NEW ENGLAND WETLAND PLANTS, INC.
 Telephone: (413)-548-8000
 Website: www.newp.com
- LAWN AREA**
 ERNMX-114: 5311 Conservation Mix
 Mix Composition:
 30.0% Festuca rubra (Creeping Red Fescue)
 25.0% Poa pratensis, 'Kelly' (Kentucky Bluegrass, 'Kelly')
 25.0% Poa pratensis, 'Shamrock' (Kentucky Bluegrass, 'Shamrock')
 10.0% Lolium multiflorum (Annual Ryegrass)
 10.0% Lolium perenne, 'Shining Star' (Perennial Ryegrass, 'Shining Star' (turf type))
 SEEDING RATE: 100-200 LB PER ACRE, OR 3-5 LB PER 1,000 SQ FT AS PER ERNST SEEDS
 Telephone: (800)-873-3321
 Website: www.ernstseed.com



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 250 Gibraltar Road • Suite 2E • Horsham, PA 19044
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REV.	DATE	DESCRIPTION	JTB	DATE	DESCRIPTION
5	2020.08.10	BUFFER TREE SUBSTITUTION	JTB		
4	2020.07.24	SITE PLAN UPDATE TO CLUBHOUSE AREA	JTB		
3	2020.06.17	ADDRESS DRB REVIEW COMMENTS	JTB		
2	2020.04.28	LANDSCAPE ENHANCEMENT/ADDRESS DRB REVIEW COMMENTS	JTB		
1	2019.07.31	ADDRESS LANDSCAPE PLAN REVIEW COMMENTS	JTB		

LANDSCAPE PLAN
ENCLAVE AT BOXBOROUGH
 TOWN OF BOXBOROUGH, MIDDLESEX COUNTY, MA

DATE:	07.16.2019	SCALE:	AS NOTED
DESIGN:	LAC	DRAWN:	LAC
JOB NO.:	3961	FILE NAME:	3961-S-LAND
REF. NO.:	SD09.03		
SHEET NO.:	3	OF	8

PLANT SCHEDULE - ACCESS ROAD

ENTRANCE STREET TREES	CODE	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	QTY
	CD	CHAMAECYPARIS PISIFERA 'DOW WHITING'™	SOFT SERVE FALSE CYPRESS	B & B	6' MIN. HT.	30
	NW2	NYSSA SYLVATICA 'WILDFIRE'	BLACK GUM	B & B	3" - 3 1/2" CAL. 14' HT.	7
	QR2	QUERCUS RUBRA	RED OAK	B & B	3" - 3 1/2" CAL. 14' HT.	18
	TH	THUJA OCCIDENTALIS 'HOLMSTRUP'	HOLMSTRUP ARBORVITAE	B & B	6' MIN. HT.	31
	UP2	ULMUS AMERICANA 'PRINCETON'	AMERICAN ELM	B & B	3" - 3 1/2" CAL. 14' HT.	13
ENTRANCE SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	QTY
	CS	CLETHRA ALNIFOLIA 'SIXTEEN CANDLES'	SUMMERSWEET CLETHRA	CONT.	24"-36" HT.	42
	HL	HYDRANGEA PANICULATA 'LIMELIGHT'	LIMELIGHT HYDRANGEA	CONT.	24"-36" HT.	42
	IS2	ILEX GLABRA 'SHAMROCK'	INKBERRY	CONT.	24"-36" HT.	49
	RE	RHOODENDRON X 'P.J.M.'	PJM RHOODENDRON	CONT.	24"-36" HT.	42
	RB	ROSA X 'BLUSHING KNOCKOUT'	ROSE	CONT.	24"-36" HT.	42

PLANT SCHEDULE STREET TREES

STREET TREES	CODE	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	QTY
	AG	ACER RUBRUM 'OCTOBER GLORY'™	OCTOBER GLORY MAPLE	B & B	2 1/2" CAL. 10' HT.	15
	NW	NYSSA SYLVATICA 'WILDFIRE'	BLACK GUM	B & B	2 1/2" CAL. 10' HT.	2
	QR	QUERCUS RUBRA	RED OAK	B & B	2 1/2" CAL. 10' HT.	16
	TG2	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LITTLELEAF LINDEN	B & B	2 1/2" CAL. 10' HT.	28
	UP	ULMUS AMERICANA 'PRINCETON'	AMERICAN ELM	B & B	2 1/2" CAL. 10' HT.	20

PLANT SCHEDULE BUFFER & OPEN SPACE

BUFFER/OPEN SPACE TREES	CODE	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	QTY
	AS	ACER SACCHARUM	SUGAR MAPLE	B & B	2 1/2" CAL.	25
	AG3	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	'AUTUMN BRILLIANCE' SERVICEBERRY	B & B	7'-8' HT.	36
	CE	CERCIS CANADENSIS	EASTERN REDBUD MULTI-TRUNK	B & B	7'-8' HT.	34
	CR2	CORNUS X 'RUTGAN'	STELLAR PINK DOGWOOD	B & B	7'-8' HT.	8
	PD	PICEA GLAUCO 'DENSATA'	BLACK HILLS SPRUCE	B & B	8'-10' MIN. HT.	27
	PG	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE	B & B	8'-10' MIN. HT.	26
	PS2	PINUS STROBUS	WHITE PINE	B & B	8'-10' MIN. HT.	31
	QA	QUERCUS ALBA	WHITE OAK	B & B	2 1/2" CAL. 10' HT.	21
	TG3	THUJA STANDISHII X PLICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE	B & B	8'-10' MIN. HT.	63
BUFFER SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	CONT.	SIZE	QTY
	CA	CLETHRA ALNIFOLIA 'PINK SPIRES'	SUMMERSWEET CLETHRA	CONT.	30" MIN. HT.	15
	IG	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY	CONT.	24"-36" HT.	32
	MP	MYRICA PENNSYLVANICA 'BOBZAM'	BOBEE NORTHERN BAYBERRY	CONT.	30" MIN. HT.	1
	RV	ROSA VIRGINIANA	VIRGINIA ROSE	B & B	24"-36" HT.	6
	VT	VIBURNUM TRILOBUM 'RED WING'	AMERICAN GRANBERRY BUSH	CONT.	30" MIN. HT.	12

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* BLACK GUM (NYSSA SYLVATICA) STREET TREES SHALL HAVE ANY BRANCHES BELOW 6' AT INSTALLATION PRUNED TO PREVENT FUTURE OBSTRUCTIONS ALONG ROADWAYS AND SIDEWALKS.
NOTE: STREET TREES SHALL BE SPACED 50' ON CENTER, BUT NO CLOSER THAN 35' ON CENTER. APPLICANT WILL INSTALL STREET TREES AS REQUIRED BY ORDINANCE.

STREET TREE REQUIREMENTS

5,816 L.F. OF ROAD: ONE TREE EVERY 50' O.C.

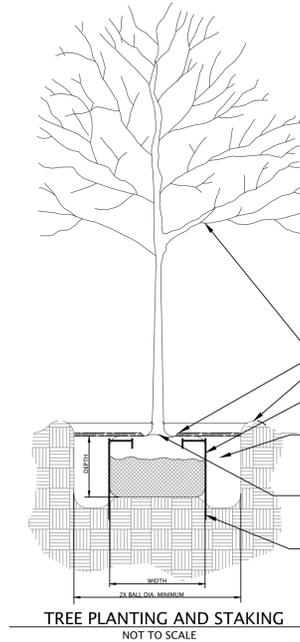
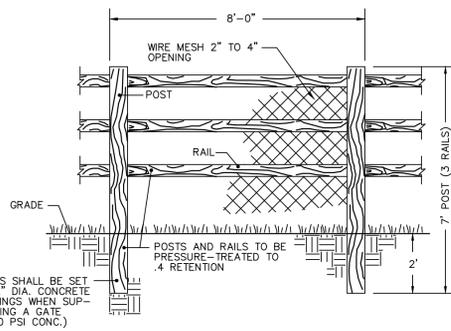
REQUIRED STREET TREES = 116 TREES
PROPOSED STREET TREES = 120 TREES

LANDSCAPE NOTES:

- IN THE EVENT THAT ANY DISCREPANCIES BETWEEN THE QUANTITIES OF PLANTS INDICATED ON THE PLANT SCHEDULE AND THOSE INDICATED ON THE PLAN, THE QUANTITIES INDICATED ON THE PLAN SHALL GOVERN.
- NO SUBSTITUTIONS SHALL BE ACCEPTED, EXCEPT WITH THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT OR HIS AGENT AND THE TOWNSHIP CONSULTANTS.
- THE LANDSCAPE ARCHITECT OR HIS AGENT SHALL BE THE SOLE JUDGE OF THE QUALITY AND ACCEPTABILITY OF THE MATERIALS. ALL REJECTED MATERIALS SHALL BE IMMEDIATELY REPLACED WITH ACCEPTABLE MATERIAL AT NO ADDITIONAL COST.
- ALL PLANT BEDS SHALL PROVIDE FOR 6" OF LOAM AND BE MULCHED WITH A MINIMUM OF 3" SHREDDED BARK MULCH OR OTHER MATERIAL APPROVED BY THE LANDSCAPE ARCHITECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTING AT CORRECT GRADES AND ALIGNMENT.
- PLANTS SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY; HAVE NORMAL GROWTH HABITS; WELL DEVELOPED BRANCHES, DENSELY FOLIATED, VIGOROUS ROOT SYSTEMS AND BE FREE FROM DEFECTS AND INJURIES.
- THE CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITION CONSIDERED DETRIMENTAL TO THE GROWTH OF PLANT MATERIAL.
- QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH "AMERICAN STANDARDS FOR NURSERY STOCK" ANSI 260 (MOST RECENT EDITION) AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
- B & B PLANTS SHALL BE HANDLED FROM THE BOTTOM OF THE ROOT BALL ONLY. PLANTS WITH BROKEN, SPLIT OR DAMAGED ROOT BALLS SHALL BE REJECTED.
- TREES SHALL BE LOCATED IN A MANNER WHICH WILL NOT OBSTRUCT ACCESS TO FIRE HYDRANT OR VISIBILITY OF STREET OR TRAFFIC SIGNS. NO TREES OR SHRUBS SHALL BE PLANTED IN A SIGHT TRIANGLE. NO TREES SHALL BE PLANTED IN ANY UTILITY OR MUNICIPAL EASEMENTS.
- PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITION ARE SUITABLE. SPRING PLANTING SEASON SHALL BE: MARCH 1ST TO JUNE 1ST. FALL PLANTING SEASON SHALL BE: AUGUST 15TH TO DECEMBER 15TH FOR EVERGREEN PLANTS AND SEPTEMBER 15TH TO DECEMBER 15TH, FOR DECIDUOUS PLANTS.
- SET ALL PLANTS PLUMB AND STRAIGHT. SET AT SUCH LEVEL THAT, AFTER SETTLEMENT, A NORMAL OR NATURAL RELATIONSHIP TO THE CROWN OF THE PLANT WITH THE GROUND SURFACE WILL BE ESTABLISHED. LOCATE PLANTS IN THE CENTER OF THE PLANTING PIT.
- ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR FROM THE DATE OF ACCEPTANCE. ANY PLANT MATERIAL THAT DIES WITHIN THAT PERIOD SHALL BE REPLACED WITH THE SAME SIZE AND SPECIES OF PLANT MATERIAL.
- THE LOCATION OF ALL PLANT MATERIAL IS DIAGRAMMATIC AND SUBJECT TO FIELD CONDITIONS AND LOT SPECIFIC DESIGN CONSIDERATIONS. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE DETERMINED IN THE FIELD UNDER THE DIRECTION OF THE LANDSCAPE ARCHITECT OR HIS AGENT.
- THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY BEARING UPON THE PERFORMANCE OF THE WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO CALL FOR UTILITY LOCATIONS, IF NECESSARY.
- IRRIGATION SYSTEM DESIGN TO BE PREPARED UPON RECEIPT OF FINAL PLAN APPROVAL.
- FERTILIZER USE AND APPLICATION SHALL COMPLY WITH 330 CMR 31.00 FOR NON-AGRICULTURAL APPLICATION OF NITROGEN FERTILIZERS.

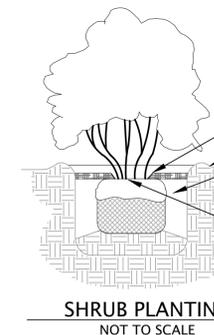
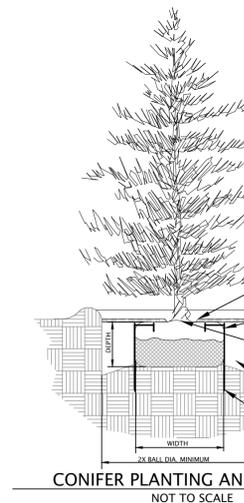
LANDSCAPE TURF NOTES:

- STORM WATER BASIN SLOPES TO BE SEEDED WITH "NEW ENGLAND EROSION CONTROL/RESTORATION MIX" AS PREPARED BY NEW ENGLAND WETLAND PLANTS, INC. APPLICATION RATE SHALL BE AS NOTED BY MANUFACTURER. SOIL PREPARATION SHALL BE PER MANUFACTURER'S SPECIFICATION/DIRECTION.
- BASIN BOTTOMS SHALL BE "BASIN FLOOR MIX- LOW MAINTENANCE" AS PREPARED BY ERNST SEEDS. APPLICATION RATE SHALL BE AS NOTED BY MANUFACTURER. SOIL PREPARATION SHALL BE PER MANUFACTURER'S SPECIFICATION/DIRECTION.
- COMMON/OPEN SPACE AREAS NOT DESIGNATED FOR SOD SHALL BE SEEDED WITH "CONSERVATION MIX" AS PREPARED BY ERNST SEEDS. APPLICATION RATE SHALL BE AS NOTED BY MANUFACTURER. SOIL PREPARATION SHALL BE PER MANUFACTURER'S SPECIFICATION/DIRECTION.
- AREAS AROUND PROPOSED UNITS, AS INDICATED ON THE TYPICAL LOT PLANTING PLAN, SHALL BE SODDED.
- THERE SHALL BE 4" OF LOAM IN ALL NON-LANDSCAPED AREAS AND 6" OF LOAM IN ALL LANDSCAPED AREAS.



Type 1 and Type 2 Shade Trees

Caliper	Minimum diameter root ball
1/2 in.	12 in.
3/4 in.	14 in.
1 in.	16 in.
1 1/4 in.	18 in.
1 1/2 in.	20 in.
1 3/4 in.	22 in.
2 in.	24 in.
2 1/2 in.	28 in.
3 in.	32 in.
3 1/2 in.	38 in.
4 in.	42 in.
4 1/2 in.	48 in.
5 in.	54 in.
5 1/2 in.	57 in.
6 in.	60 in.
7 in.	70 in.
8 in.	80 in.



- NOTES:**
- SHRUB ROOTBALLS SHALL BE TYPICALLY 12" WIDE.
 - THE DEPTH OF THE ROOTBALL SHALL BE NO LESS THAN 65% ITS WIDTH.
 - REMOVE ALL NON-BIODEGRADABLE PLANT WRAPPING AND ROPING FROM PLANTS PRIOR TO INSTALLATION.



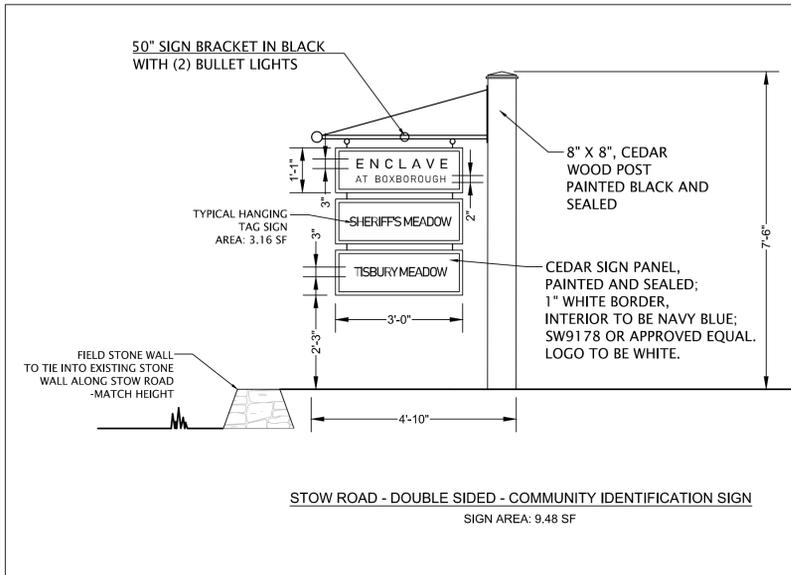
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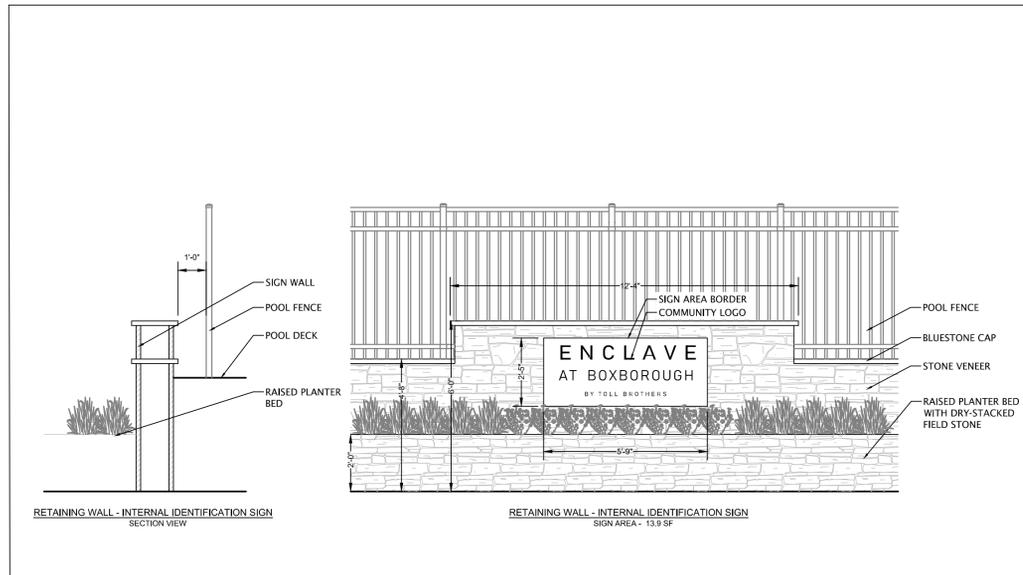
LANDSCAPE DETAILS AND NOTES
ENCLAVE AT BOXBOROUGH
TOWN OF BOXBOROUGH, MIDDLESEX COUNTY, MA

DATE: 07.16.2019	SCALE: AS NOTED
DESIGN: LAC	DRAWN: LAC
JOB NO.: 3961	FILE NAME: 3961-S-LAND
REF. NO.: SD09.04	
SHEET NO.: 4	OF 8

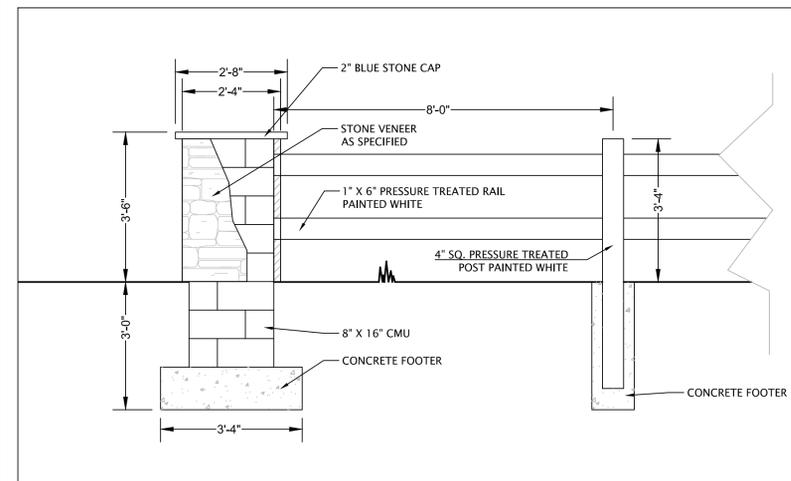
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STOW ROAD ENTRANCE FEATURE DESIGN
SCALE: 1"=2'

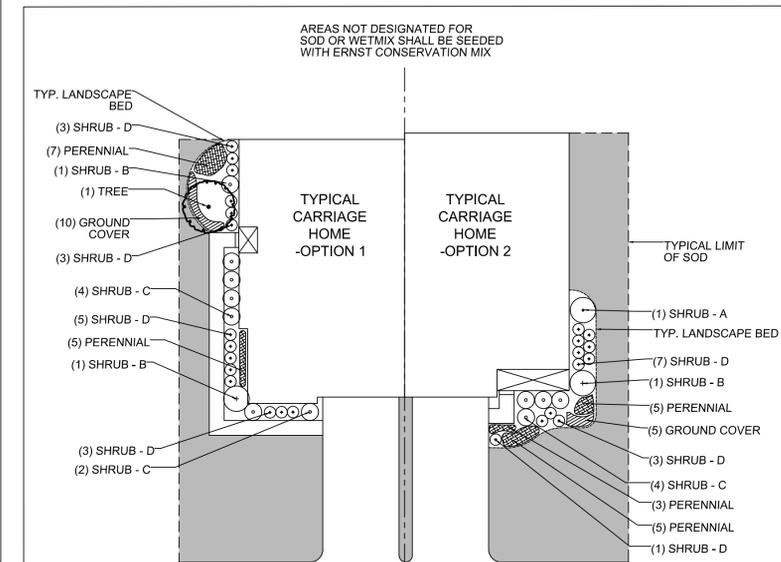


INTERNAL ENTRANCE FEATURE DESIGN
SCALE: 1"=3'



ACCESS ROAD PIER & RAIL DETAIL
SCALE: 1"=2'

REFER TO SUPPLEMENTAL SHEET SET
L09.01 - L09.05 FOR UPDATED
CLUBHOUSE LANDSCAPE
DESIGN & LAYOUT



SHADE/FLOWERING TREES				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Acer rubrum / Red Maple	2" CAL.	Shade Tree
		Acer saccharum / Sugar Maple	2" CAL.	Shade Tree
		Amelanchier laevis / Allegheny Serviceberry	7'-8" HT.	Flowering Tree/Multi-Stem
		Betula nigra Heritage / Heritage River Birch	7'-8" HT.	Flowering Tree/Multi-Stem
		Cercis canadensis / Eastern Redbud	7'-8" HT.	Flowering Tree
		Gleditsia triacanthos 'Inermis' / Thornless Honey Locust	2" CAL.	Shade Tree
		Cornus kousa / Kousa Dogwood	7'-8" HT.	Flowering Tree
		Prunus cerasifera 'Thundercloud' / Purple Leaf Plum	7'-8" HT.	Flowering Tree
		Prunus subhirtella 'Autumnalis' / Higan Cherry	7'-8" HT.	Flowering Tree

LARGE-MEDIUM SHRUB A (DECIDUOUS) SELECT ONE SPECIES ONLY PER PLANT GROUPING				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Azalea varieties / Deciduous Azalea	36" MIN. HT.	Full Sun/Part Shade
		Clethra alnifolia 'Ruby Spice' / Summersweet Clethra	36" MIN. HT.	Full Sun/Part Shade
		Hydrangea macrophylla 'Endless Summer' TM / Hydrangea	36" MIN. HT.	Full Sun/Part Shade
		Hydrangea quercifolia / Oakleaf Hydrangea	36" MIN. HT.	Full Sun/Part Shade
		Physocarpus opulifolius 'Summer Wine' or 'Coppertina' / Ninebark	36" MIN. HT.	Full Sun/Part Shade
		Rosa rugosa 'Rhapsody' / Double Knock Out Rose	36" MIN. HT.	Full Sun
		Weigela florida / Compact Variety	36" MIN. HT.	Full Sun/Part Shade

LARGE-MEDIUM SHRUB B (EVERGREEN) SELECT ONE SPECIES ONLY PER PLANT GROUPING				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Azalea varieties / Evergreen Azalea		Full Sun/Part Shade
		Ilex crenata 'Compacta' / Japanese Holly	24" MIN. HT.	Full Sun/Part Shade
		Daphne x burkwoodii 'Carol Mackie' / Daphne	24" MIN. HT.	Full Sun/Part Shade
		Ilex glabra 'Denselae' 'Shamrock' / Inkberry	24" MIN. HT.	Full Sun/Part Shade
		Ilex x 'Mesog' / China Boy & China Girl Holly	24" MIN. HT.	Full Sun/Part Shade
		Prunus japonica 'Compacta' / Japanese Andromeda	24" MIN. HT.	Full Sun/Part Shade

SMALL SHRUB C (DECIDUOUS) SELECT ONE SPECIES ONLY PER PLANT GROUPING				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Caryopteris 'Blue Mist' or 'Dark Knight' / Dwarf Bluebeard	18" MIN. HT.	Full Sun
		Itea virginica 'Little Henry' / Dwarf Virginia Sweetspire	18" MIN. HT.	Full Sun/Part Shade
		Hypericum x 'Hydote' / St. John's Wort	18" MIN. HT.	Full Sun/Part Shade
		Nandina domestica 'Firepower' / Nandina	18" MIN. HT.	Full Sun/Full Shade

SMALL SHRUB D (EVERGREEN) SELECT ONE SPECIES ONLY PER PLANT GROUPING				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Ilex glabra 'Compacta' / Compact Inkberry	18" MIN. HT.	Full Sun/Full Shade
		Thuja occidentalis 'Letz Midget' / Arborvitae	18" MIN. HT.	Full Sun/Part Shade
		Thuja occidentalis 'Bobozaam' / Arborvitae	18" MIN. HT.	Full Sun/Part Shade

PERENNIAL MIX A: FULL SUN SELECT 2-4 SPECIES				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Coreopsis / Tickseed	1 GAL.	Full Sun
		Chrysanthemum nipponicum / Montauk Daisy	1 GAL.	Full Sun
		Heimerichia / Daylily	1 GAL.	Full Sun
		Phlox paniculata / Garden Phlox	1 GAL.	Full Sun

PERENNIAL MIX B: SHADE SELECT 2-4 SPECIES				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Astilbe / False Spirea	1 GAL.	Part Shade/Full Shade
		Hosta	1 GAL.	Part Shade/Full Shade
		Tiarella cordifolia / Foamflower	1 GAL.	Part Shade/Full Shade

GROUND COVER SELECT ONE SPECIES ONLY				
SYMBOL	QUANTITY	SPECIES/COMMON NAME	SIZE	NOTES
[Symbol]		Galium odoratum / Sweet Woodruff	1 QT.	Part Shade/Full Shade
		Liriope muscari 'Big Blue' / Liriope	1 QT.	Part Shade/Full Shade
		Pachyandra terminalis / Japanese Spurge	1 QT.	Part Shade/Full Shade
		Phlox subulata / Creeping Phlox	1 QT.	Full Sun

• SHADE/SUN PERENNIAL MIX DEPENDENT UPON ORIENTATION OF HOME

TYPICAL LOT PLANTING
SCALE: 1"=20'



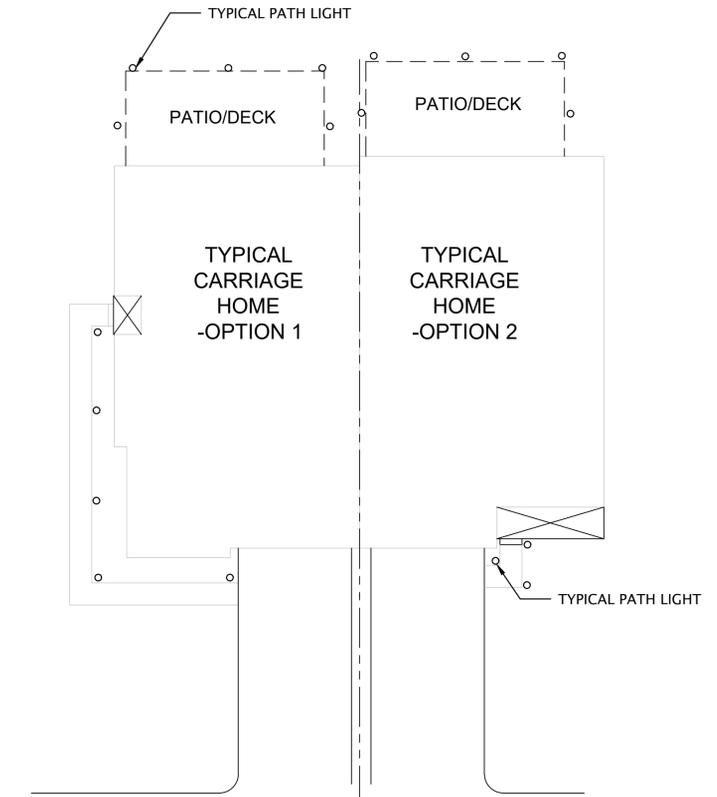
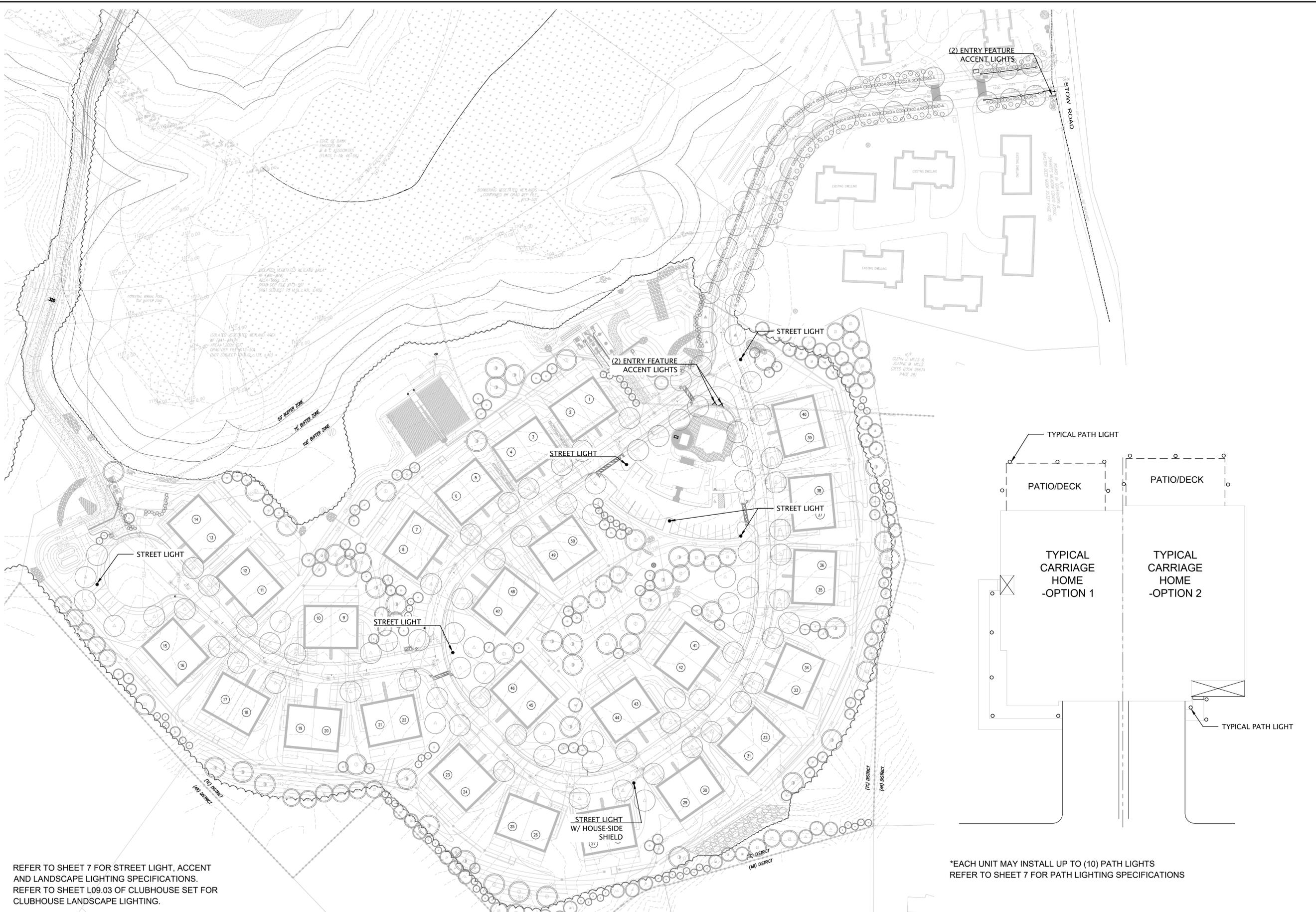
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CLUBHOUSE & TYP. UNIT LANDSCAPE
ENTRANCE FEATURE DESIGN
ENCLAVE AT BOXBOROUGH
TOWN OF BOXBOROUGH, MIDDLESEX COUNTY, MA

DATE:	07.16.2019	SCALE:	AS NOTED
DESIGN:	LAC	DRAWN:	LAC
JOB NO.:	3961	FILE NAME:	3961-S-LAND
REF. NO.:	SD09.05	SHEET NO.:	5 OF 8

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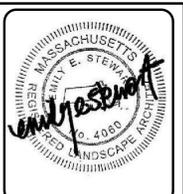


*EACH UNIT MAY INSTALL UP TO (10) PATH LIGHTS
REFER TO SHEET 7 FOR PATH LIGHTING SPECIFICATIONS

REFER TO SHEET 7 FOR STREET LIGHT, ACCENT AND LANDSCAPE LIGHTING SPECIFICATIONS.
REFER TO SHEET L09.03 OF CLUBHOUSE SET FOR CLUBHOUSE LANDSCAPE LIGHTING.

LIGHTING PLAN
SCALE: 1"=60'-0"

TYP UNIT LANDSCAPE LIGHTING PLAN
NTS



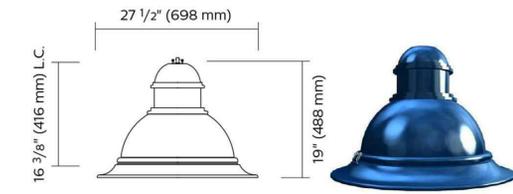
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ESE Consultants, Inc.
250 Gibraltar Road • Suite 2E • Horsham, PA 19044
T: 215-914-2050

REV.	DATE	DESCRIPTION	DRAWN
5	2020.08.10	BUFFER TREE SUBSTITUTION	JTB
4	2020.07.24	SITE PLAN UPDATE TO CLUBHOUSE AREA	JTB
3	2020.06.17	ADDRESS DRB REVIEW COMMENTS	JTB
2	2020.04.28	LANDSCAPE ENHANCEMENT/ADDRESS DRB REVIEW COMMENTS	JTB
1	2019.07.31	ADDRESS LANDSCAPE PLAN REVIEW COMMENTS	JTB

LIGHTING PLAN
ENCLAVE AT BOXBOROUGH
TOWN OF BOXBOROUGH, MIDDLESEX COUNTY, MA

DATE:	07.16.2019	SCALE:	AS NOTED
DESIGN:	LAC	DRAWN:	LAC
JOB NO.:	3961	FILE NAME:	3961-S-LAND
REF. NO.:	SD09.06	SHEET NO.:	6 OF 8

PENN16-86629 (78232)



**DMS50 - F optics
Flat lens**

EPA: 1.42 sq ft / weight: 42 lb (19.1 kg)
Note: 3D image may not represent color or option selected.
Logos above include link, click to access.

Qty	6	Luminaire	DMS50-55W32LED4K-R-L-E3S-VOLT-BKTX
-----	---	-----------	------------------------------------

Description of Components:

Hood: A die cast A360.1 aluminum dome complete with a cast-in technical ring with latch and hinge. The mechanism shall offer tool-free access to the inside of the luminaire. An embedded memory-retentive gasket shall ensure weatherproofing.

Housing: In a round shape, this housing is made of cast 356 aluminum, o/v a watertight grommet, mechanically assembled to the bracket with four bolts 3/8-16 UNC. This suspension system permits for a full rotation of the luminaire in 90 degree increments.

Light Engine: LEDgine composed of 5 main components: Heat Sink / Lens / LED Module / Optical System / Driver
Electrical components are RoHS compliant.

Heat Sink: Heat Sink: Made of die cast A360 aluminum optimising the LEDs efficiency and life, complete with a cast in skirt and technical ring. Product does not use any cooling device with moving parts (only passive cooling device)

Lens: Made of soda-lime clear tempered glass curved lens, mechanically assembled and sealed onto the lower part of the heat sink.

LED Module: LED type Philips Lumileds LUXEON R. Composed of 32 high-performance white LEDs. Color temperature as per ANSINEMA bin Neutral White, 4000 Kelvin nominal (3985K +/- 275K or 3710K to 4260K), CRI 70 Min. 75 Typical.

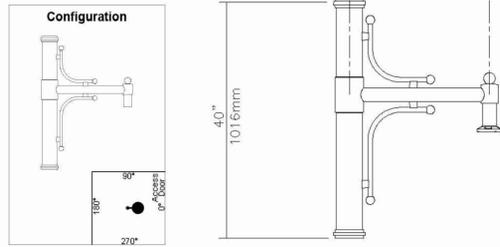
Optical System: (LES3), IES type III (asymmetrical). Composed of high-performance optical grade PMMA acrylic refractor lenses to achieve desired distribution optimized to get maximum spacing, target lumens and a superior lighting uniformity. Optical system is rated IP66. Performance shall be tested per LM-63, LM-79 and TM-15 (IESNA) certifying its photometric performance. Street side indicated.

*PROPOSED COLOR: BLACK

*ALL PROPOSED STREET LIGHTING IS DARK SKY COMPLIANT

STREET LIGHTING SPECIFICATIONS

PENN16-86629 (78232)



Qty	6	Bracket	MM-1A-R4-BKTX
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Description of Components:

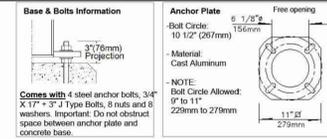
Arm: Made from 2 3/8in. (60mm) outside diameter aluminum tubing, welded.

Decorative Element: Made of cast 356 aluminum, welded.

Central Adaptor: Made of aluminum 6061-T6, 4 1/2" (114mm) outside diameter. Complete with a cast 356 aluminum filter that slip-fits 3" (72mm) over a 4" (102mm) outside diameter pole tenon. Mechanically assembled using two sets of four set screws at 90 degrees around the bracket.

Bracket Weight: 22 lbs (10 kg)

PENN16-86629 (78232)



Qty	6	Pole	AMBU-10-BKTX
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Description of Components:

Pole Shaft: Shall be made from a 4" (102mm) round extruded 6061-T6 aluminum tubing, having a 0.226" (5.7mm) wall thickness, welded to the pole base.

Joint Cover: Two-piece round joint cover made from cast 356 aluminum, mechanically fastened with stainless steel screws.

Pole Base: Shall be made from a 6 5/8" (168mm) round extruded 6061-T6 aluminum tubing base having a 0.135" (3.4mm) wall thickness, welded to both the bottom and top of the anchor plate.

Maintenance Opening: The pole shall have a 4 1/2" x 10" (114mm x 254mm) maintenance opening centered 21" (533mm) from the bottom of the anchor plate, complete with a weatherproof embossed aluminum cover and a copper ground lug.

Base Cover: Two piece round base cover made from cast 356 aluminum, mechanically fastened with stainless steel screws.

Note: A tenon will be provided when the luminaire or bracket does not fit directly on pole shaft. Tenon not shown on the drawing.

IMPORT: Philips Lumec strongly recommends the installation of the complete lighting assembly with all of its accessories upon the anchoring of the pole. This will ensure that the structural integrity of the product is maintained throughout its lifetime.

Pole Weight: 30 lbs (13.6 kg)

*PROPOSED POLE HEIGHT IS 15'

CertainTeed Bufftech Vinyl Fence Products

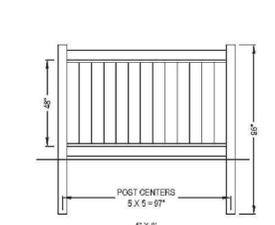
CERTAINTEED CORPORATION FENCE DECK AND RAIL DIVISION
231 SHIP CANAL PARKWAY
BUFFALO, NY 14218
TOLL FREE: 1-800-333-0659
PHONE: (716) 823-3023
FAX: (716) 823-2843
www.certainteed.com

SELECT DESIRED SIZE:

- 4' HEIGHT
- 5' HEIGHT
- 6' HEIGHT

SELECT DESIRED COLOR:

- WHITE
- ALMOND
- NATURAL CLAY (5' & 6' HEIGHT ONLY)
- GREY (6' HEIGHT ONLY)



- NOTES:**
- INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 - DO NOT SCALE DRAWING.
 - THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
 - ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
 - CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADDETAILS.com/info AND ENTER REFERENCE NUMBER: 035-017



035-017 PROTECTED BY COPYRIGHT © 2018 CADDETAILS.COM LTD. REVISION DATE: 03/08/2019 CADdetails.com

6' HIGH VINYL PRIVACY FENCE SPECIFICATION

LED Aluminum Path Light (RL9) Specification Sheet

Project Name: Location: City: MFD: Philips Hue
Fixture Type: Catalog No: Qty:

Ordering Guide

Product Code	RL9	LED Aluminum Path Light
Finish	A	Black
Mounting	3P	Mounting Base
LED	120W	120W Lamp

Specifications

HOUSING: Die-cast aluminum. Clear to view and abrasion resistant. Heat sink of cast aluminum with integrated cooling fins and integrated LED mounting. 12" BRP screw threads to allow for accessory mounting (such as junction box, USB connectivity, Ethernet and 300-watt ballasts etc.)

FINISH: Thermally epoxide powder coat is electrostatically applied after a flow clear conversion coating process and bonded by heat. Vision thermoplastic, subjected to heated for maximum reflectivity and color retention in areas exposed to UV. MDT 174 repairable. Two year warranty.

OPTICAL ASSEMBLY: Spot beam light reflector with visible thermoplastic powder coat. Frontal tempered glass epoxide shield includes top and bottom silicone gaskets for tight seal.

LAMPING: Philips HLL LED 12W Capable lamp, 120W BRP energy saving when compared to a 100W Compact Fluorescent Lamp (CFL). Operating temperature range from 10°C and 35°C to 40°C. Available for use in outdoor settings in which the case is protected (IP65). Voltage: 120V. Max. Total Lumens: 1920. Lamp is not sold with fixture. Lower wattage lamp are acceptable.

ELECTRICAL ASSEMBLY: Die-cast aluminum with 200V AC high temperature rubber coated wire leads. 12" lead length is provided with 2.8" length of 18-24 AWG, 100' O.D. BRP 174 wire. Low voltage quick connect cable (not included) is provided for easy hooking to the low voltage supply cable. Not included. 12V AC lamp requires external transformer. Not included.

WARRANTY: Philips Hue 5-year warranty.

CERTIFICATIONS: ETL, listed for A.S. safety standards for wall locations. cUL, listed for Canadian safety standards for wall locations. Manufactured to ISO 9001:2008 Standards.

Weight: 12.50" (485 mm)

Max. Weight: 8 (200 lbs)

ISO 9001:2008 Registered Page 1 of 1
Note: Philips reserves the right to modify the above details to address changes in the use of materials, color or product design without prior notice.
12V LED lamp shown. Dimensions: 12.50" (485 mm) x 1.50" (38 mm) x 1.50" (38 mm). Not shown: 12V LED lamp. Not shown: 12V LED lamp. Copyright © 2018 Philips.

12V 50W 1 Light Accent Light Textured Architectural Bronze

Product Name: Location: City: MFD: Philips Hue
Fixture Type: Catalog No: Qty:

Ordering Guide

Product Code	12V 50W	1 Light Accent Light
Finish	A	Black
Mounting	3P	Mounting Base
LED	120W	120W Lamp

Specifications

HOUSING: Die-cast aluminum. Clear to view and abrasion resistant. Heat sink of cast aluminum with integrated cooling fins and integrated LED mounting. 12" BRP screw threads to allow for accessory mounting (such as junction box, USB connectivity, Ethernet and 300-watt ballasts etc.)

FINISH: Thermally epoxide powder coat is electrostatically applied after a flow clear conversion coating process and bonded by heat. Vision thermoplastic, subjected to heated for maximum reflectivity and color retention in areas exposed to UV. MDT 174 repairable. Two year warranty.

OPTICAL ASSEMBLY: Spot beam light reflector with visible thermoplastic powder coat. Frontal tempered glass epoxide shield includes top and bottom silicone gaskets for tight seal.

LAMPING: Philips HLL LED 12W Capable lamp, 120W BRP energy saving when compared to a 100W Compact Fluorescent Lamp (CFL). Operating temperature range from 10°C and 35°C to 40°C. Available for use in outdoor settings in which the case is protected (IP65). Voltage: 120V. Max. Total Lumens: 1920. Lamp is not sold with fixture. Lower wattage lamp are acceptable.

ELECTRICAL ASSEMBLY: Die-cast aluminum with 200V AC high temperature rubber coated wire leads. 12" lead length is provided with 2.8" length of 18-24 AWG, 100' O.D. BRP 174 wire. Low voltage quick connect cable (not included) is provided for easy hooking to the low voltage supply cable. Not included. 12V AC lamp requires external transformer. Not included.

WARRANTY: Philips Hue 5-year warranty.

CERTIFICATIONS: ETL, listed for A.S. safety standards for wall locations. cUL, listed for Canadian safety standards for wall locations. Manufactured to ISO 9001:2008 Standards.

Weight: 12.50" (485 mm)

Max. Weight: 8 (200 lbs)

ISO 9001:2008 Registered Page 1 of 1
Note: Philips reserves the right to modify the above details to address changes in the use of materials, color or product design without prior notice.
12V LED lamp shown. Dimensions: 12.50" (485 mm) x 1.50" (38 mm) x 1.50" (38 mm). Not shown: 12V LED lamp. Not shown: 12V LED lamp. Copyright © 2018 Philips.

3000K LED MR16 4W 15 Degree 10/12" (Cover)

Product Name: Location: City: MFD: Philips Hue
Fixture Type: Catalog No: Qty:

Ordering Guide

Product Code	3000K LED MR16	4W 15 Degree
Finish	A	Black
Mounting	3P	Mounting Base
LED	120W	120W Lamp

Specifications

HOUSING: Die-cast aluminum. Clear to view and abrasion resistant. Heat sink of cast aluminum with integrated cooling fins and integrated LED mounting. 12" BRP screw threads to allow for accessory mounting (such as junction box, USB connectivity, Ethernet and 300-watt ballasts etc.)

FINISH: Thermally epoxide powder coat is electrostatically applied after a flow clear conversion coating process and bonded by heat. Vision thermoplastic, subjected to heated for maximum reflectivity and color retention in areas exposed to UV. MDT 174 repairable. Two year warranty.

OPTICAL ASSEMBLY: Spot beam light reflector with visible thermoplastic powder coat. Frontal tempered glass epoxide shield includes top and bottom silicone gaskets for tight seal.

LAMPING: Philips HLL LED 12W Capable lamp, 120W BRP energy saving when compared to a 100W Compact Fluorescent Lamp (CFL). Operating temperature range from 10°C and 35°C to 40°C. Available for use in outdoor settings in which the case is protected (IP65). Voltage: 120V. Max. Total Lumens: 1920. Lamp is not sold with fixture. Lower wattage lamp are acceptable.

ELECTRICAL ASSEMBLY: Die-cast aluminum with 200V AC high temperature rubber coated wire leads. 12" lead length is provided with 2.8" length of 18-24 AWG, 100' O.D. BRP 174 wire. Low voltage quick connect cable (not included) is provided for easy hooking to the low voltage supply cable. Not included. 12V AC lamp requires external transformer. Not included.

WARRANTY: Philips Hue 5-year warranty.

CERTIFICATIONS: ETL, listed for A.S. safety standards for wall locations. cUL, listed for Canadian safety standards for wall locations. Manufactured to ISO 9001:2008 Standards.

Weight: 12.50" (485 mm)

Max. Weight: 8 (200 lbs)

ISO 9001:2008 Registered Page 1 of 1
Note: Philips reserves the right to modify the above details to address changes in the use of materials, color or product design without prior notice.
12V LED lamp shown. Dimensions: 12.50" (485 mm) x 1.50" (38 mm) x 1.50" (38 mm). Not shown: 12V LED lamp. Not shown: 12V LED lamp. Copyright © 2018 Philips.



MANUFACTURER: SIGN BRACKET STORE
50" WHITE TRIANGLE BALL LIGHTED SIGN BRACKET
COLOR/FINISH: TEXTURED BLACK POWDER COAT
LIGHTING (2) 120V-50W BULLET LIGHTS
STOW ROAD ENTRANCE - LIGHTED SIGN BRACKET

LANDSCAPE PATH LIGHT SPECIFICATION

INTERNAL ENTRY FEATURE ACCENT LIGHT SPECIFICATION

* PATH LIGHTS & ACCENT LIGHTS ARE COMPLIANT WITH DARK SKY MODEL LIGHTING ORDINANCE AS PROPOSED LUMENS FALL UNDER ACCEPTABLE RANGE FOR RESIDENTIAL LIGHTING STANDARDS EXCEPTIONS



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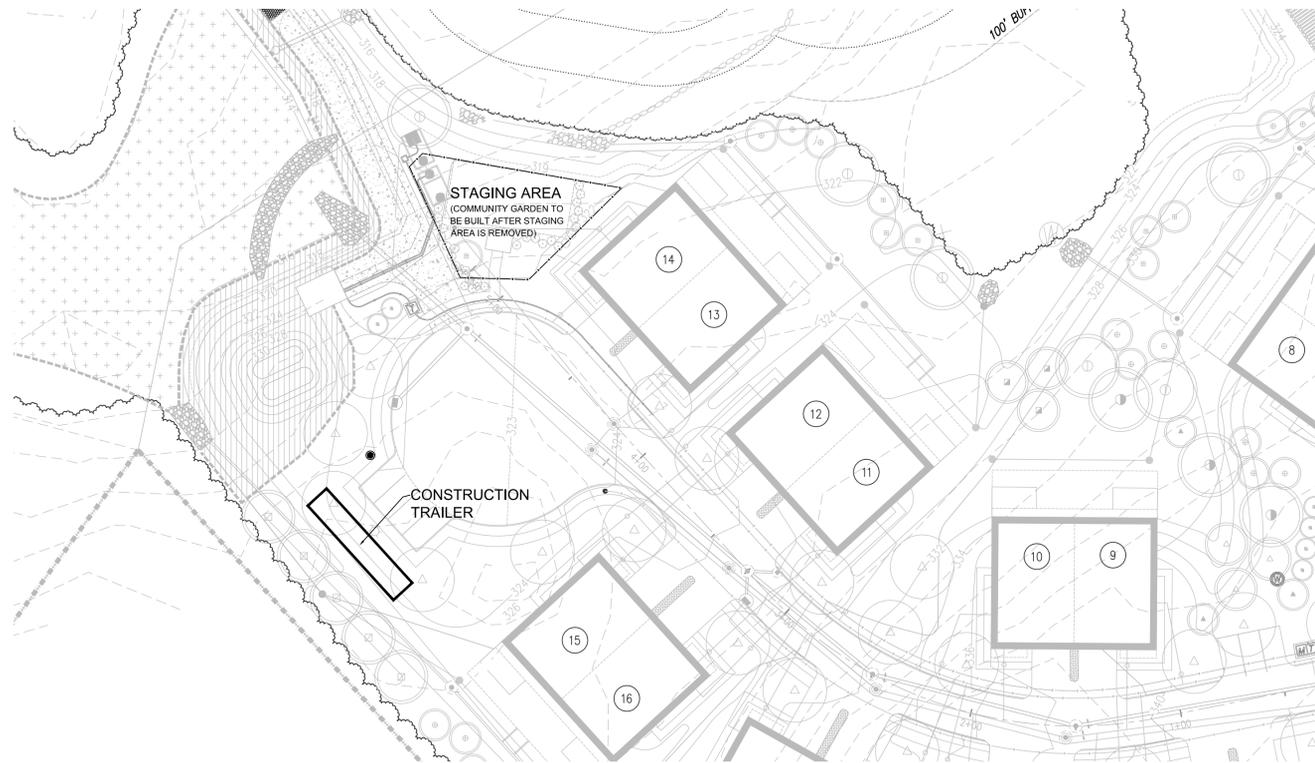
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T: 215-914-2050

REV.	DATE	DESCRIPTION
5	2020.08.10	BUFFER TREE SUBSTITUTION
4	2020.07.24	SITE PLAN UPDATE TO CLUBHOUSE AREA
3	2020.06.17	ADDRESS DRB REVIEW COMMENTS
2	2020.04.28	LANDSCAPE ENHANCEMENT/ADDRESS DRB REVIEW COMMENTS
1	2019.07.31	ADDRESS LANDSCAPE PLAN REVIEW COMMENTS

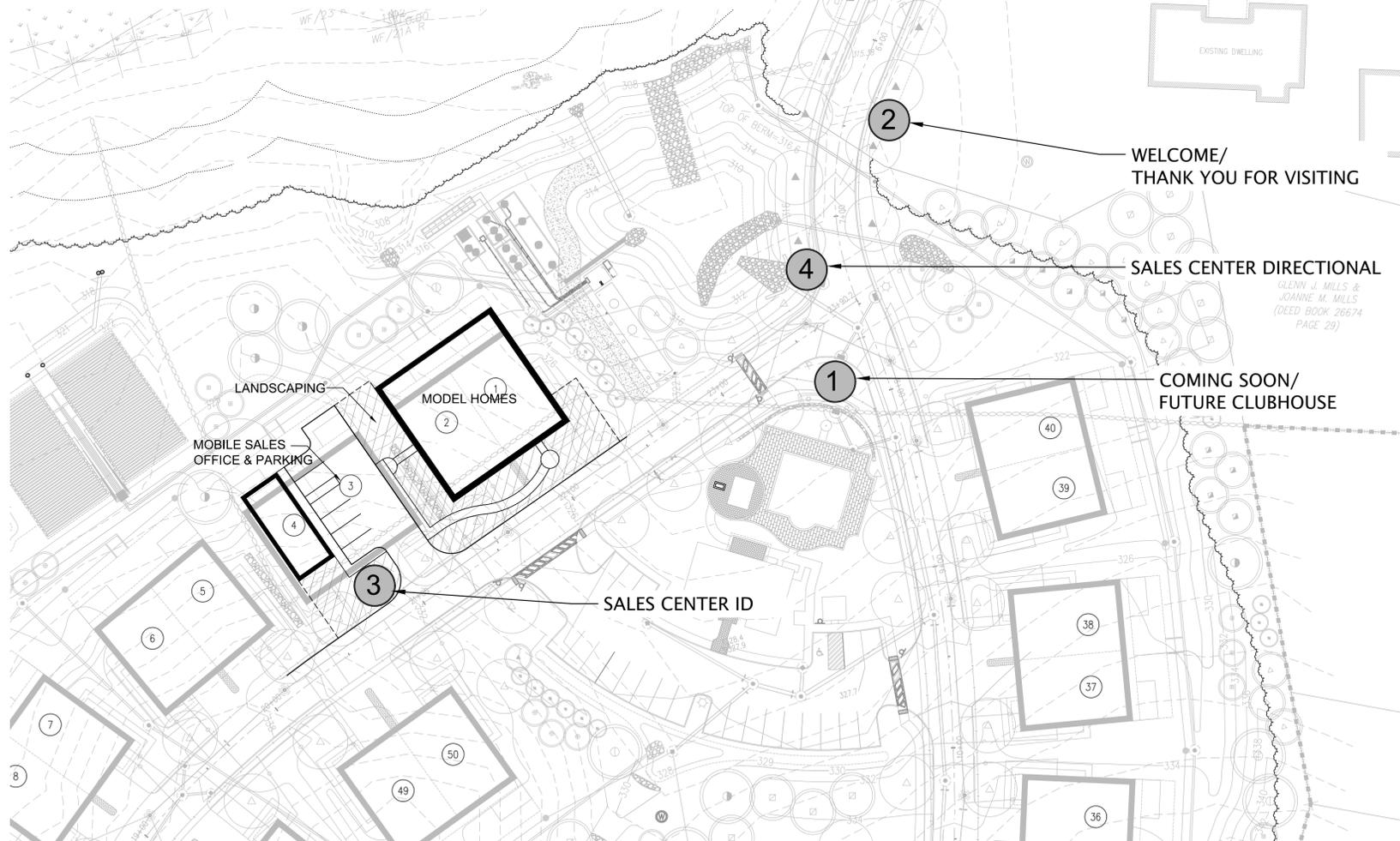
DETAILS

ENCLAVE AT BOXBOROUGH
TOWN OF BOXBOROUGH, MIDDLESEX COUNTY, MA

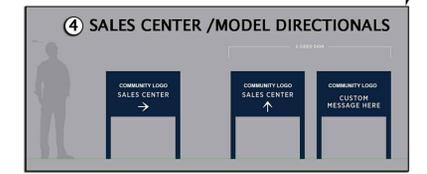
DATE:	07.16.2019	SCALE:	AS NOTED
DESIGN:	LAC	DRAWN:	LAC
JOB NO.:	3961	FILE NAME:	3961-S-LAND
REF. NO.:	SD09.07		
SHEET NO.:	7	OF	8



CONSTRUCTION TRAILER & STAGING LOCATION PLAN
SCALE: 1"=40'-0"



TEMPORARY SIGN LOCATION PLAN
SCALE: 1"=40'-0"



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T: 215-914-2050

REV.	DATE	DESCRIPTION	DRAWN
5	2020.08.10	BUFFER TREE SUBSTITUTION	JTB
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2	2020.04.28	LANDSCAPE ENHANCEMENT/ADDRESS DRB REVIEW COMMENTS	JTB
1	2019.07.31	ADDRESS LANDSCAPE PLAN REVIEW COMMENTS	JTB

TEMPORARY SIGNAGE PLAN AND DETAILS
ENCLAVE AT BOXBOROUGH
TOWN OF BOXBOROUGH, MIDDLESEX COUNTY, MA

DATE:	07.16.2019	SCALE:	AS NOTED
DESIGN:	LAC	DRAWN:	LAC
JOB NO.:	3961	FILE NAME:	3961-S-LAND
REF. NO.:	SD09.08		
SHEET NO.:	8	OF	8

N:\PROJECTS\MASSACHUSETTS\3961 MINUTEMAN VILLAGE - BOXBORO\LANDSCAPE\3961-S-LAND.DWG--Justin Barnett--8/10/2020 3:10 PM

SITE PLAN APPROVAL MODIFICATION #1
BOXBOROUGH TOWN CENTER, LLC
700, 750, & 800 Massachusetts Avenue

Pursuant to Site Plan Approval and Special Permit for Alternate Access Decision, dated August 19, 2019, and recorded with the Middlesex South Registry of Deeds in Book 73270 Page 132 (the “Decision”), the Planning Board approved the application of Boxborough Town Center, LLC (the “Applicant”) to construct a 50-unit elderly occupancy residential development on several contiguous parcels of land located at 700, 750, and 800 Massachusetts Avenue (the “Development”).

On April 28, 2020, Toll Brothers, acting as project representative for the Development, submitted several documents to the Board, including a Presentation Plan and architectural drawings, for the purpose of requesting a modification of the Site Plan Approval for the Development (the “Modification Request”). The Modification Request reflected an increase in the approved building footprints, from originally approved gross floor square footage per duplex of 4,836 square feet (excluding decks or patios), to a maximum total gross floor square footage of 5,704 square feet (excluding decks or patios), depending on building options selected by future buyers.

At a duly called meeting on May 18, 2020, acting in accordance with and pursuant to Conditions #19 and 20 of the Decision, the Planning Board opened discussion on the Modification Request. Chair Cindy Markowitz and Planning Board members Rebecca Verner and Mark White heard the Request for the Board. Dave Bauer and Shawn Nuckolls of Toll Brothers, Inc., and Greg Roy and Ryan Vickers of Ducharme & Dillis Civil Design Group Inc. attended for the Applicant. After due consideration of the Request and materials and testimony submitted in relation thereto, the Planning Board (motion by Mr. White, seconded by Ms. Markowitz), voted 3-0 to **APPROVE** the Modification with the following conditions:

1. Condition #1 of the Decision is modified as follows:
 - a. The Site Plan entitled: “Site Plan Enclave at Boxborough for Boxborough Town Center, LLC” by Ducharme & Dillis, dated July 15, 2019, stamped “Issued for Permit,” Sheets C1 thru C8.7 and 1 of 7 thru 3 of 7(26 sheets total) [sic; correctly, “7 of 7 (30 sheets total)”] will be superseded by revised Site Plans to be filed by the Applicant with the Planning Board reflecting the Updated Presentation Plan as prepared by Ducharme & Dillis dated 4/22/20 and Updated Architectural Plans as prepared by Toll Architecture dated 4/15/20 and 4/27/20.
 - b. The Stormwater Report, “Enclave at Boxborough, Stow Road, Boxborough prepared for Boxborough Town Center LLC” by Ducharme & Dillis, dated July 15, 2019 stamped by Greg Roy, P.E. will be superseded by revised drainage calculations provided by Ducharme and Dillis and reviewed and approved by the Planning Board’s consulting engineer, Places Associates.

- c. The Landscape Plans “Enclave at Boxborough for Boxborough Town Center, LLC” by ESE Consultants, dated July 31, 2019 stamped by Emily E. Stewart, Registered Landscape Architect (8 sheets) will be superseded by revised Landscape Plans (sheets 1 through 9) provided by ESE Consultants and incorporating the signage, lighting, and landscaping recommendations of the Design Review Board Report dated May 13, 2020.
2. The Presentation Plan dated April 22, 2020, and Architectural Plans originally dated January 28, 2020 and updated April 15, 2020, are approved with the following conditions:
 - a. The building footprint for each unit shall not exceed the footprint dimensions provided in the May 18, 2020 memo by Toll Brothers table titled “Square Footage Comparison of Enclave Duplex Units with Proposed Options Calculation by Toll Brothers based on actual option sizes”.
 - b. The revised Site Plans reflecting the potential larger building footprint and reduced driveway length will be submitted to the Planning Board for final endorsement prior to the start of construction of the residential units. Modifications shall be in accordance with Toll Brothers, Inc. Response Letter to the Design Review Board and the Planning Board dated May 18, 2020, including a reduction of driveway length from 35 feet to 25 feet for housing units #1 through #14, and #23 through #40.
 - c. Drainage calculations shall be provided for review and approval of the Board’s consulting engineer prior to the Board’s final endorsement of the Site Plan. The calculations will reflect the maximum amount of impervious area associated with the building options and building accessories. Drainage calculations shall sufficiently demonstrate that any increase in impervious area associated with this Modification will be sufficiently mitigated to meet Massachusetts Stormwater Standards and any other local, state or federal regulations or requirements.
 - d. Patios shall be made of porous pavers or other porous materials and the Master Deed Condominium documents (Exhibit A) shall be updated to reflect this requirement.
 - e. Landscaping Plans shall be revised in accordance with the recommendations for Signage and Lighting and Landscaping of the Design Review Board in the May 13, 2020 Design Review Report. The Planning Board did not adopt the Design Review Board’s recommendations regarding Massing and Spacing of Buildings, nor Roof Slopes and Shapes. The Planning Board determined that impacts to these items would be sufficiently mitigated through the conditions identified above. Outstanding questions regarding the DRB’s recommendations shall be resolved with the Design Review Board Chair prior to the Planning Board’s final endorsement of Landscaping Plans.



BOXBOROUGH PLANNING BOARD
29 Middle Road, Boxborough, Massachusetts 01719
Phone: (978) 264-1723 • Fax: (978) 264-3127
www.boxborough-ma.gov

Cindy Markowitz, Chair Mark White, Clerk Mark Barbadoro Robin Lazarow Rebecca Verner

Witness our hands this ____ day of _____, 2020:

BOXBOROUGH PLANNING BOARD:

Cindy Markowitz

Mark White

Rebecca Verner

Received:

Elizabeth A. Markiewicz, Town Clerk

Date Filed