



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

BOARD/COMMITTEE: Planning Board
MEETING DATE: October 5, 2020
TIME: 7:00 PM
PLACE: Remote Meeting through Zoom

AGENDA

Public Comment (3 mins per commenter)

Review Submittals

700, 750, & 800 Massachusetts Avenue - Discussion of Enclave at Boxborough Submittals
Condominium Documents, Operations and Maintenance Plans – 9/22/20
Request for Site Plan Modification #3 Letter – 9/28/20

7:30 Public Hearing – Continued from August 21, 2020 & September 21, 2020

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

8:00 Public Hearing – Continued from September 21, 2020

1172 Hill Road – Scenic Road, Public Shade Tree, and Stone Wall Application

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
Website update
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 Committee (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> October 19 November 9	<u>Future Meeting Dates:</u> November 23 December 7
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Join Zoom Meeting

<https://us02web.zoom.us/j/89646309601?pwd=dngwQnczNm04c25La3I1eIUrMGk1QT09>

Meeting ID: 896 4630 9601

Passcode: 919609

One tap mobile

+19292056099,,89646309601#,,,,,0#,,919609# US (New York)

+13017158592,,89646309601#,,,,,0#,,919609# US (Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 896 4630 9601

Passcode: 919609

Find your local number: <https://us02web.zoom.us/j/89646309601>

Scenic Road Permit / Public Shade Tree Removal / Stone Wall Removal or Alteration Application

Project:

Stow Road

Boxborough, Massachusetts

Middlesex County



Date: August 4th, 2020

Prepared By: Ducharme & Dillis Civil Design Group
1 Main Street
Lunenburg, Massachusetts

Prepared For: Boxborough Town Center, LLC
P.O. Box 985
West Acton, MA 01720

TABLE OF CONTENTS

Sections:

1. NOTICE OF INTENT

Scenic Road Permit / Public Shade Tree Removal / Stone Wall Removal or Alteration
Application

2. PROJECT NARRATIVE

Site Description
Project Description
Mitigating Measures / Construction Sequence

3. PLANS & DETAILS

C8.9 – Stow Road Sidewalk Plan
C8.10 – Stow Road Intersection Plan
C8.11 – Stow Road Sidewalk Plan Details

APPLICATION



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

Scenic Road Permit Application
Public Shade Tree Removal Application
Stone Wall Removal or Alteration Application

Assessor Parcel Number: 14-054 14-053

Project Location: Stow Road

Project Description: As part of General Condition #12 in the Approval Decision for 700, 750 & 800 Massachusetts Avenue,
the Applicant must construct a sidewalk from the Project Site, along Access Easement C to Stow Road and then from the
intersection of Access Easement C and Stow Road to Route 111/Massachusetts Avenue.

Applicant Name: Boxborough Town Center, LLC.

Applicant Address: P.O. Box 985 West Acton, MA 01720

Applicant Phone Number: 978-266-9751

Property Owner (if different): _____

Owner Address: _____

Owner Phone Number: _____

Scenic Road Permit Public Shade Tree Removal Stone Wall Application
(check all that apply)

1. Does the project require the removal or destruction of a stone wall? Yes No

If yes, what is the length of the proposed removal or destruction? Apprx. 305 Lineal Feet

2. Will any Public Shade Trees as defined by MGL Ch. 87, Sec. 1 be removed or significantly impacted because of the proposed construction? Yes No

If yes, what is the type of tree(s) to be removed and the diameter measured 2 feet from the ground? Oak: 8" 12" 16" Maple: 20" 10" 6" Spruce: 20" Ash: 25"

Please note: It is the applicant's responsibility to meet with the Tree Warden prior to the filing of this application to determine if there are Public Shade Trees on the subject property.

Scenic Road Permit - Public Shade Tree Removal - Stone Wall Application

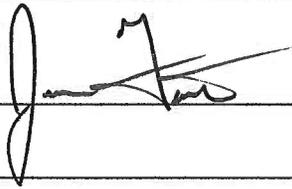
Attach a plan drawn to scale showing the property boundaries, the location of the proposed construction and location of any trees or portions of stone walls that will be removed or damaged. For a new driveway, the width of the driveway and limit of disturbance **shall be** marked on the road at least one week prior to the public hearing.

NOTE: A public hearing is required before a Scenic Road or a Public Shade Tree Removal Permit can be issued. The notice of the hearing must be published, at the applicant's expense, in The Beacon twice, the last publication to occur not less than 7 days prior to the hearing. The applicant will be notified by mail of the hearing date and is required to attend the hearing.

The undersigned hereby certifies that he/she has read and examined this application and that the proposed project is accurately represented in the statements made in this application.

Owner(s): _____ Date: _____

_____ Date: _____

Applicant(s):  _____ Date: 7-29-20

_____ Date: _____

** The signature of the property owner(s) is required for the application to be accepted.



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

Scenic Road Requirements

The Town voted at the Special Town Meeting on February 3, 1975 to designate the following roads as Scenic Roads as provided for in Section 15C, Chapter 40 of the Massachusetts General Laws:

Burroughs Road
Davidson Road
Depot Road
Hill Road
Liberty Square Road between Depot Road and Sargent Road
Littlefield Road between Sargent Road and Depot Road
Middle Road between Hill Road and Depot Road
Old Harvard Road
Picnic Street
Pine Hill Road**
Sargent Road
Stow Road from Route 111 to Stow Town Line

** Voted at Special Town Meeting on October 7, 1975

Section 15C, Chapter 40 of the General Laws defines the following:

“After a road has been designated as a Scenic Road, any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing.”

PROJECT NARRATIVE

SITE DESCRIPTION

The project is located along the west side of Stow Road, between the existing entrance to Sheriff's Meadows to the intersection of Massachusetts Avenue. No existing drainage structures are located along the subject section of the road. There are eight (8) public shade trees (as defined by MGL Ch. 87, Sec 1) that are located along the subject length of Stow Road. Stone walls exist along the western side of Stow Road at varying lengths. There are two different driveway crossings that intersect Stow Road along the western side of the subject stretch of road. Both mentioned driveway crossings are located on Assessor's Parcel 14-053. The topography is generally down gradient towards the intersection from the Sheriff's Meadow entrance.

PROJECT DESCRIPTION

As part of the Approval Decision for 700, 750 & 800 Massachusetts Avenue, General Condition #12 the applicant, Boxborough Town Center, LLC must construct a sidewalk from the Project Site (Enclave at Boxborough), along Access Easement C to Stow Road and then from the intersection of Access Easement C and Stow Road to Route 111/Massachusetts Avenue. The sidewalk design shall also include:

- any improvements needed at the intersection of Stow Road and Massachusetts Avenue to comply with the standards of the American with Disabilities Act (ADA) and the Massachusetts Architectural Barriers Board (MABB) regulations and;
- a rapid-flashing LED sign as requested by the Boxborough Chief of Police in his letter dated August 9, 2019 or any safety measure alternative otherwise approved by the Police Chief.

A site walk was conducted with the following on June 3rd 2020: Edward Kukkula (Boxborough DPW Superintendent & Tree Warden) Bentley Herget (Zoning Officer & Building Inspector), Simon Corson (Town Planner), Susan Carter (Review Engineer, Places Associates, Inc.), Greg Roy (P.E. Ducharme & Dillis) & Ryan Vickers (Project Engineer, Ducharme & Dillis). During the site walk, all trees that were suspected to conflict with the proposed sidewalk construction were considered for removal. All the mentioned trees for removal are depicted in the attached site plans. Approximately 305 lineal feet of existing stone wall may be disturbed during construction of the sidewalk. Included within this scope of work is for the disturbed stone wall debris to be collected & reconstructed at the indicated locations within the attached site plans. Additional Design features such as sidewalk widths to accommodate for town maintenance equipment, curbing height, style & location of ADA compliant ramps were also topics of discussion on site. Stow Road's western edge adjacent to the sidewalk is proposed to be milled and repaired as seen fit during the construction of the sidewalk (1-2' of width). To aid in reducing potential channelized flow by the proposed gutter line along the curbing, a curb inlet has been proposed to attenuate stormwater. Please refer to the attached site plans for additional details regarding specifics to the sidewalk construction.

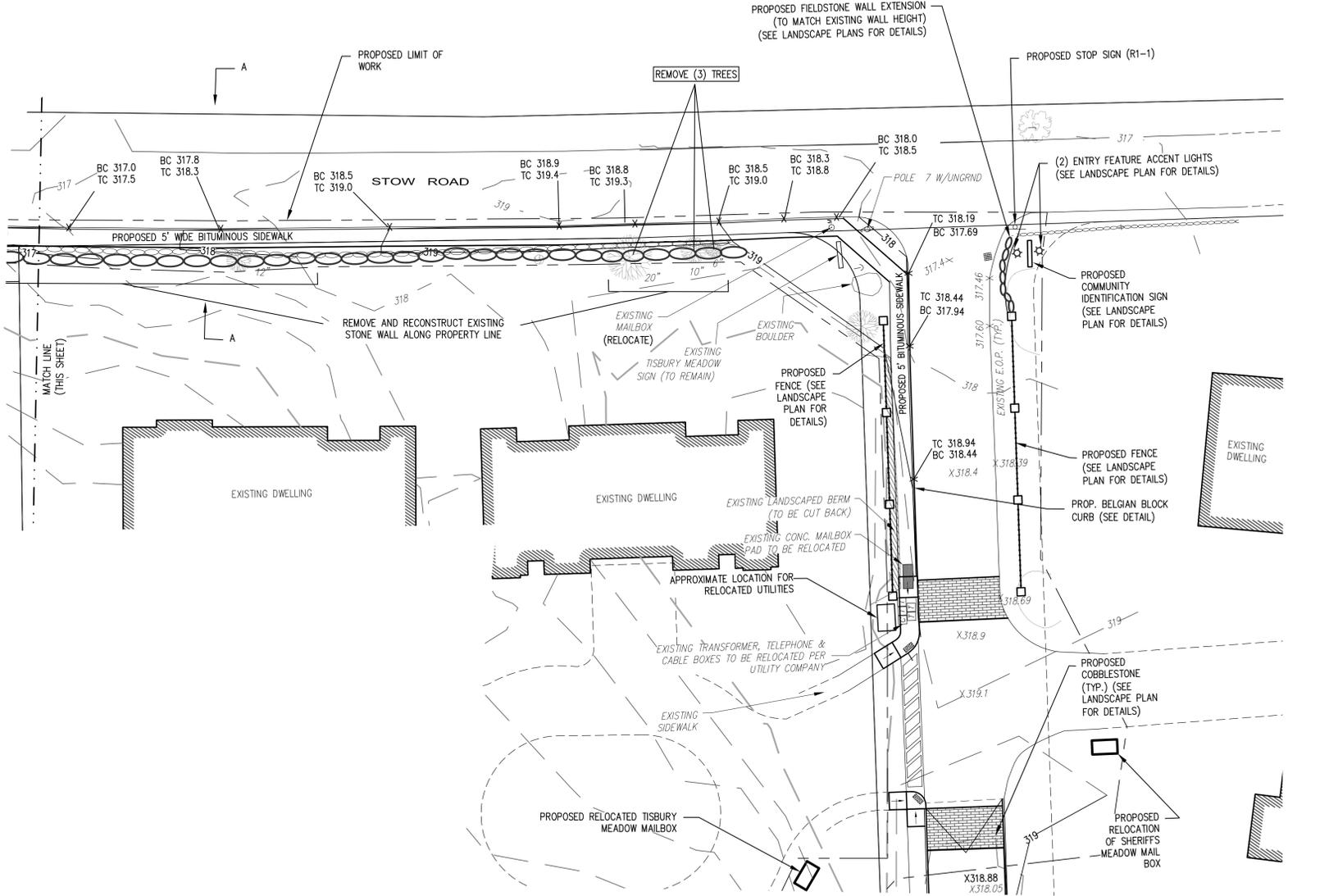
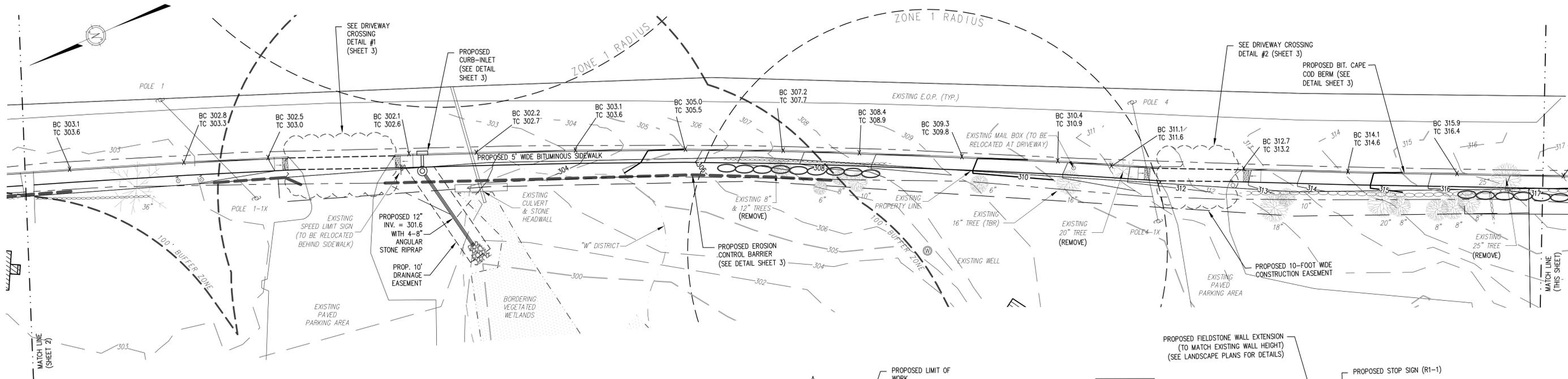
MITIGATING MEASURES / CONSTRUCTION SEQUENCE

Erosion and sediment control barriers will be installed as shown on the plans in order to isolate the construction zone from abutting resource areas. The following is the proposed construction sequence:

Construction Sequence

1. A traffic detour plan shall be prepared and approved by the Police and Fire Departments and a notice regarding the road closure published in the local newspaper prior to the start of construction at the intersection.
2. Contractor shall have all materials on-site prior to beginning construction activities.
3. All work shall be performed on consecutive days.
4. Perform work during a dry period.
5. Install erosion and sediment control barriers.
6. Mill and remove existing pavement as required.
7. Install proposed drainage structure & line.
8. Backfill structure.
9. Place Cape Cod Curbing
10. Place asphalt pavement
11. Perform finish paving per the Boxborough DPW specifications.
12. Remove erosion control barriers after disturbed areas have been stabilized and after final approval of the Conservation Commission.

PLANS & DETAILS



GENERAL NOTES:

1. ABUTTER PROPERTY LINES AND NAMES ARE COMPILED FROM TOWN TAX RECORDS AND ARE APPROXIMATE.
2. EXISTING UTILITIES SHOWN ON THIS PLAN WERE COMPILED FROM FIELD MEASUREMENT AND RECORD PLANS. THE UTILITIES SHOWN ON THIS PLAN ARE FOR REFERENCE ONLY AND SHOULD NOT BE ASSUMED TO BE CORRECT NOR SHOULD IT BE ASSUMED THAT THE UTILITIES SHOWN ARE THE ONLY UTILITIES LOCATED ON OR NEAR THE SITE. THE CONTRACTOR SHALL CALL DIG SAFE 1-888-DIG-SAFE PRIOR TO CONSTRUCTION IN ACCORDANCE WITH STATE LAWS.
3. THIS PLAN SHALL NOT BE USED FOR CONSTRUCTION UNLESS IT HAS BEEN ISSUED FOR CONSTRUCTION.
4. APPROVAL IS REQUIRED FROM THE DPW AND SELECT BOARD FOR WORK WITHIN STOW ROAD.
5. WORK DEPICTED ON THIS PLAN REQUIRES AN ORDER OF CONDITIONS OR A NEGATIVE DETERMINATION OF APPLICABILITY FROM THE CONSERVATION COMMISSION PRIOR TO WORK.
6. WORK WITHIN THE MASSDOT RIGHT OF WAY WILL REQUIRE REVIEW AND APPROVAL BY MASSDOT.
7. TREE REMOVAL SHOWN ON THIS PLAN IS SUBJECT TO PERMISSION BEING GRANTED FROM ABUTTING PROPERTY OWNERS.
8. BITUMINOUS SIDEWALK
 3.1 SIDEWALK SHALL BE 5- FEET WIDE
 3.2 ASPHALT TO CONFORM TO MASSDOT SECTION M3.11.03.
 3.3 PAVEMENT TO BE 1 1/2" WEARING COURSE (TABLE B) OVER 1 1/2" BINDER COURSE (TABLE A)
 3.4 SIDEWALK RAMPS SHALL BE CONCRETE

PREPARED BY:

DUCHARME & DILLIS
 Civil Design Group, Inc.
 CIVIL ENGINEERS • LAND SURVEYORS • WETLAND CONSULTANTS
 1092 MAIN STREET, P.O. BOX 428 BOLTON, MASSACHUSETTS 01740
 PHONE: (978) 779-6091 FAX: (978) 779-0260
 www.DucharmeandDillis.com

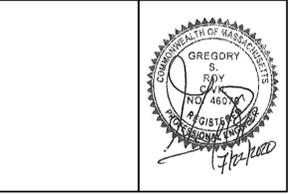
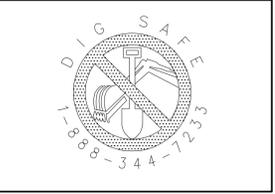
OWNER:
 BOXBOROUGH TOWN CENTER, LLC
 P.O. BOX 985
 WEST ACTON, MA 01720

APPLICANT:
 BOXBOROUGH TOWN CENTER, LLC
 P.O. BOX 985
 WEST ACTON, MA 01720

SCALE:

 1 in. = 30 ft.

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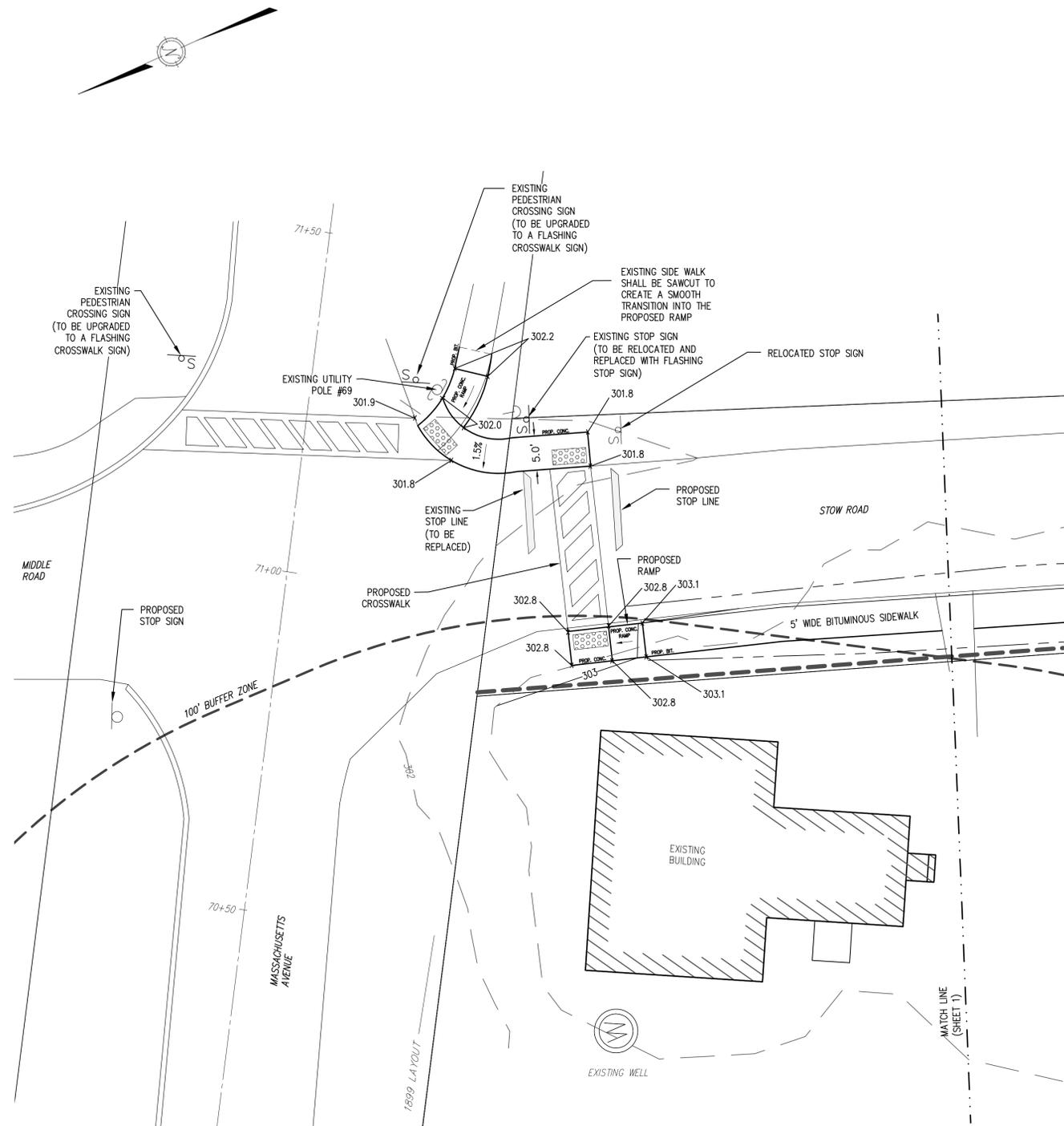
DATE:	4/23/20
DESIGN BY:	RPV
DRAWN BY:	RPV
CHECKED BY:	GSR

STOW ROAD SIDEWALK PLAN 700-800 MASSACHUSETTS AVENUE BOXBOROUGH, MASSACHUSETTS			
NO.	DATE	DESCRIPTION	BY
1.	7/22/2020	REVISED PER SITE WALK AND PEER REVIEW COMMENTS	RWP

JOB NO. 6092
 DRAWING NO. 6092-STOW RD
 SHEET NO. **C8.9**

GENERAL NOTES:

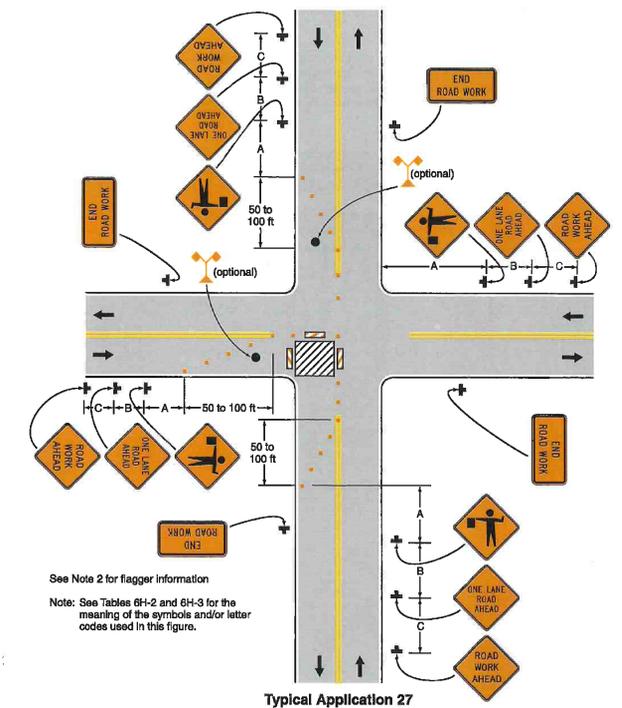
1. GRADES SHOWN ON THIS PLAN REFER TO FINAL FINISHED GRADES.
2. BITUMINOUS SIDEWALK
 - 3.1 SIDEWALK SHALL BE 5- FEET WIDE
 - 3.2 ASPHALT TO CONFORM TO MASSDOT SECTION M3.11.03.
 - 3.3 PAVEMENT TO BE 1 1/2" WEARING COURSE (TABLE B) OVER 1 1/2" BINDER COURSE (TABLE A)
 - 3.4 SIDEWALK RAMPS SHALL BE CONCRETE



STOW ROAD AND ROUTE 111 INTERSECTION DETAIL

SCALE: 1"=10'

Figure 6H-27. Closure at the Side of an Intersection (TA-27)



Typical Application 27

TRAFFIC MANAGEMENT PLAN

SCALE: 1"=30'

PREPARED BY:

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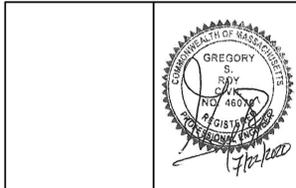
OWNER:
 BOXBOROUGH TOWN CENTER, LLC
 P.O. BOX 985
 WEST ACTON, MA 01720

APPLICANT:
 BOXBOROUGH TOWN CENTER, LLC
 P.O. BOX 985
 WEST ACTON, MA 01720

SCALE:

 1 in. = 10 ft.

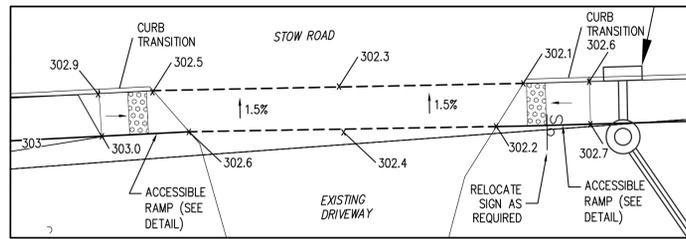
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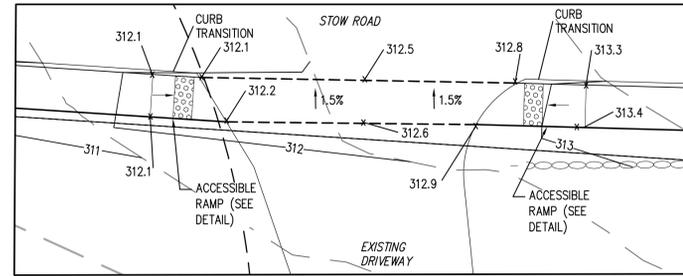
DATE: 4/23/20
 DESIGN BY: RPV
 DRAWN BY: RWP
 CHECKED BY: GSR

STOW ROAD INTERSECTION PLAN			
700-800 MASSACHUSETTS AVENUE			
BOXBOROUGH, MASSACHUSETTS			
NO.	DATE	DESCRIPTION	BY
1.	7/22/2020	REVISED PER SITE WALK AND PEER REVIEW COMMENTS	RWP

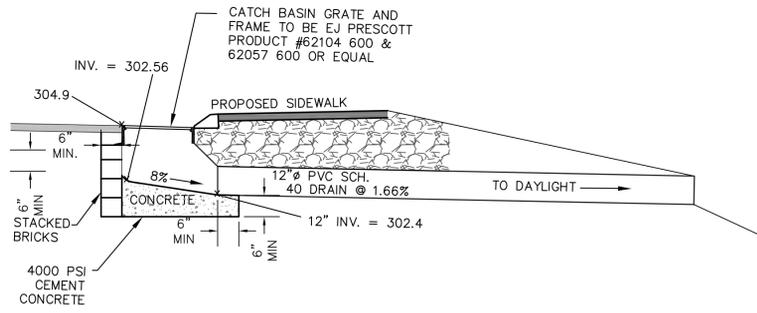
JOB NO. 6092
 DRAWING NO. 6092-STOW RD
 SHEET NO. **C8.10**



DRIVEWAY CROSSING DETAIL #1

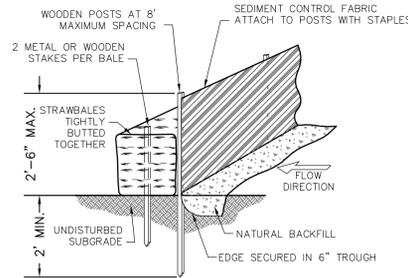


DRIVEWAY CROSSING DETAIL #2



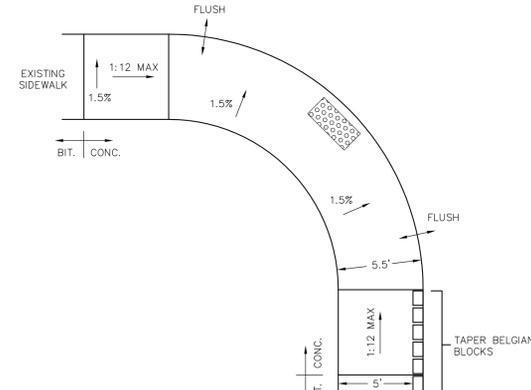
CURB INLET DETAIL

NOT TO SCALE



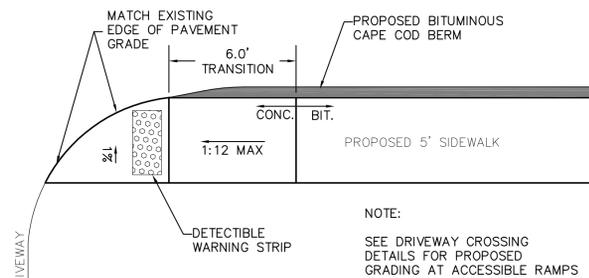
EROSION CONTROL BARRIER

NOT TO SCALE



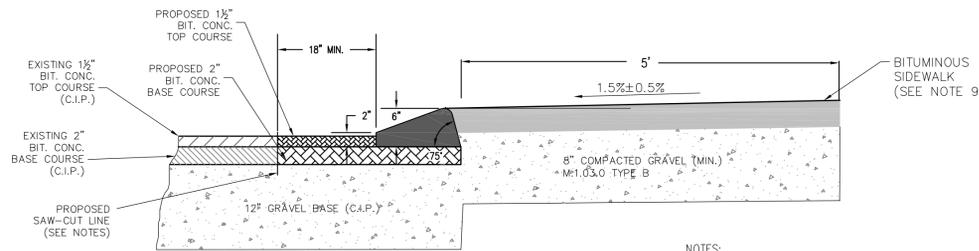
TYPICAL ACCESSIBLE RAMP - SHERIFF'S MEADOW

NOT TO SCALE



TYPICAL ACCESSIBLE RAMP - STOW ROAD

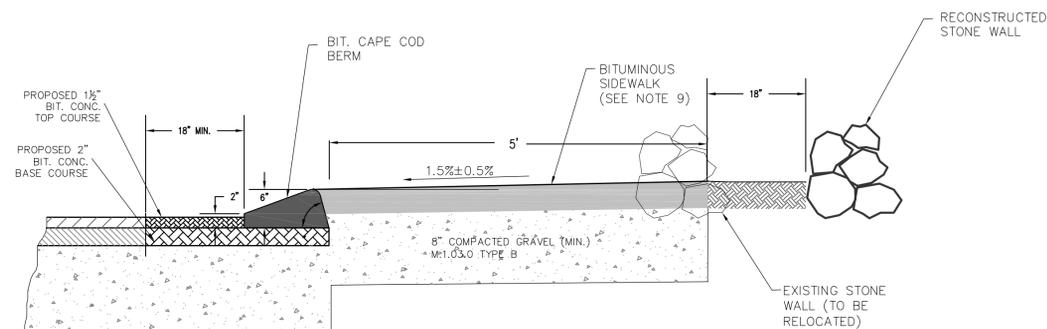
NOT TO SCALE



BITUMINOUS CONCRETE CURB DETAIL

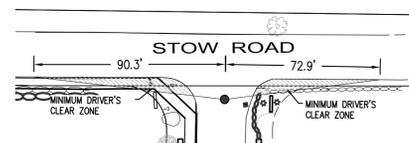
NOT TO SCALE

- NOTES:
1. SAW CUT FULL DEPTH OF EXISTING ASPHALT
 2. PLACE BINDER COURSE WITH JOINT TACKIFIER
 3. PLACE BIT. BERM OVER BINDER COURSE
 4. PLACE TOP COURSE OVER BINDER COURSE ADJACENT TO BERM.



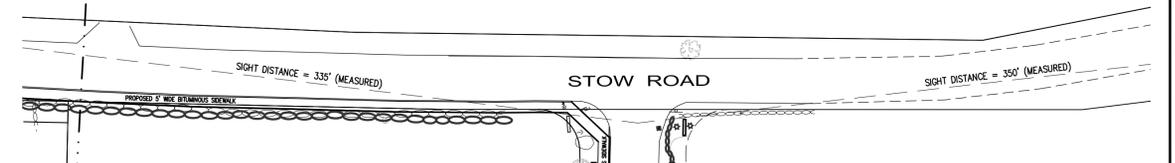
CROSS SECTION A-A

NOT TO SCALE



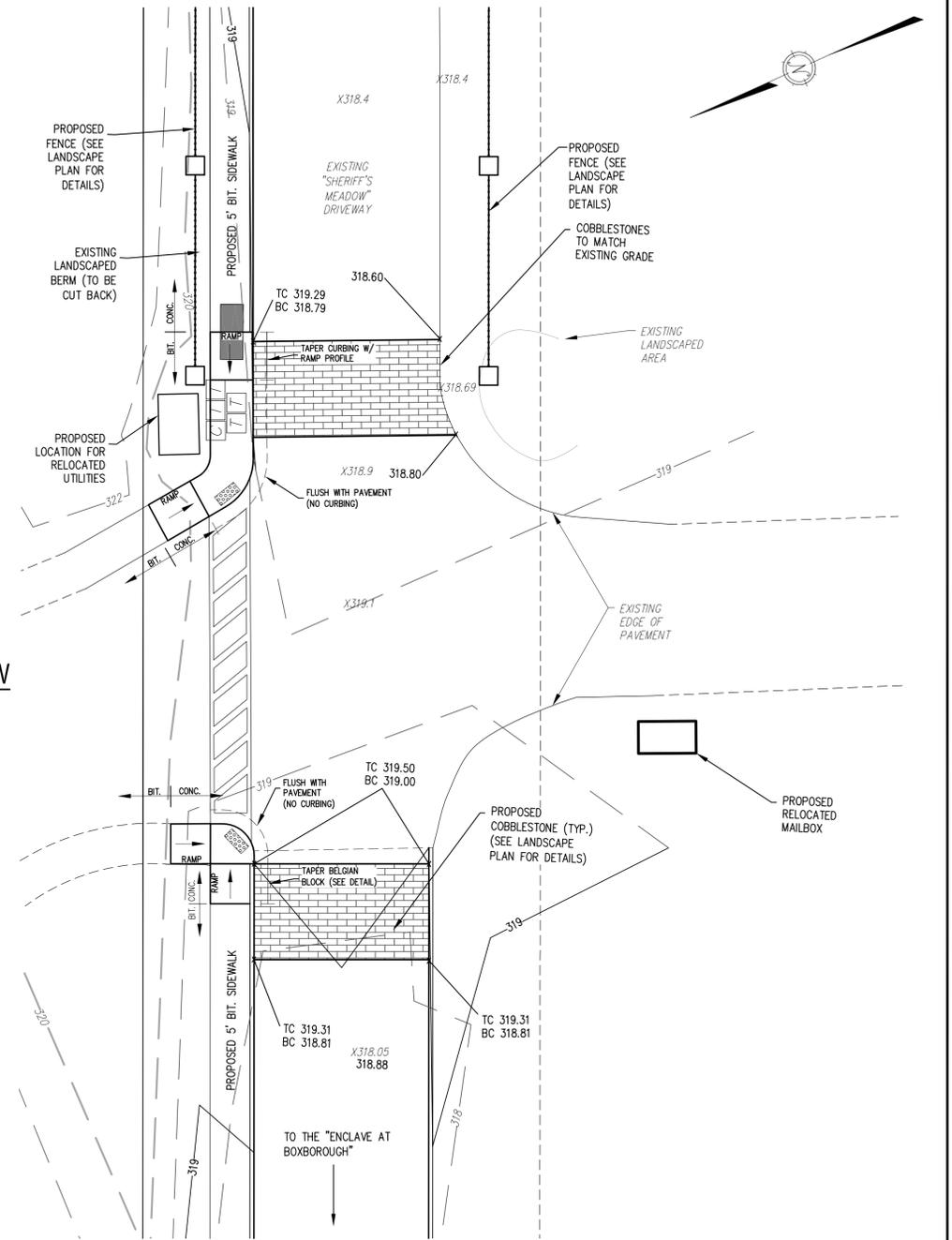
SIGHT LINE TRIANGLE DIAGRAM

SCALE: 1" = 40'



SIGHT DISTANCE DIAGRAM

SCALE: 1" = 40'



SHERIFF'S MEADOW INTERSECTION DETAIL

SCALE: 1" = 10'

PREPARED BY:

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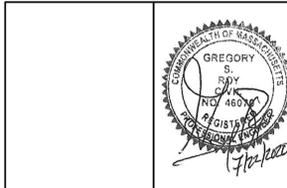
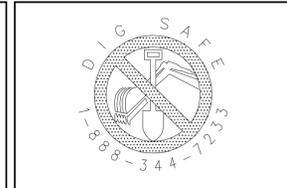
OWNER:
BOXBOROUGH TOWN CENTER, LLC
P.O. BOX 985
WEST ACTON, MA 01720

APPLICANT:
BOXBOROUGH TOWN CENTER, LLC
P.O. BOX 985
WEST ACTON, MA 01720

SCALE:

1 in. = 30 ft.

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DATE: 4/23/20

DESIGN BY: RPV

DRAWN BY: RPV

CHECKED BY: GSR

STOW ROAD SIDEWALK PLAN DETAILS			
700-800 MASSACHUSETTS AVENUE			
BOXBOROUGH, MASSACHUSETTS			
NO.	DATE	DESCRIPTION	BY
1.	7/22/2020	REVISED PER SITE WALK AND PEER REVIEW COMMENTS	RWP

JOB NO. 6092

DRAWING NO. 6092-STOW RD

SHEET NO. **C8.11**

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

Per your request, I reviewed the draft Master Deed and Declaration of Trust (attached) submitted by the developer for conformance with the conditions of the Aug. 19, 2019 Site Plan and Special Permit decision for the Enclave development (the "Decision"). As you know, the Decision expressly required in conditions 7, 8, and 41.b that the Master Deed for the development reflect conditions of approval the Planning Board imposed. The Master Deed complies with the terms of the Decision as follows:

- 1) Condition 7: Trash and Recycling. As required, the Master Deed (see Exhibit B) provides that units shall store trash in a garage, and that weekly curb-side garbage and recycling will be provided by the Condominium Trust.

- 2) Condition 8: On-Street Parking Prohibited. Section 10.A(s) of the Master Deed prohibits parking on any of the common areas of the condominium, including roadways, "except in those areas specifically identified for parking." I recommend that the applicant be requested to either define what common areas are available for parking, or to indicate that no parking is allowed on roadways without exception.

- 3) Condition 41.b
 - a. 55+ Occupancy Required: As required, Section 4.C of the Master Deed limits occupancy to 55+.
 - b. Building Additions Limited to Exclusive Use Areas: Section 10.A(d) of the Master Deed addresses additions to units, and sets forth the improvements to each unit that may be constructed only within the Limited Common Element area assigned to each unit and depicted on the recorded floor plans for each unit (See Section 5.B(b) of the Master Deed). Unit owners have no rights under the Master Deed to add to their Units outside of the Limited Common Element area as defined in Section 5.B(b).
 - c. Pervious Materials: Section 5.B(b) of the Master Deed requires the use of pervious materials for patios. It does not address "similar structures" to patios. The Board may want to require that additional language be added the Master Deed to identify other "structures" that should be constructed with pervious materials.
 - d. Lighting additions: Section 10.A(d)ii) of the Master Deed requires lighting added to Limited Common Element areas to be "dark sky" compliant and consistent with the Zoning Bylaw and guidelines issued by the Board. The Master Deed does not address lighting additions to other areas of the development. In my opinion, Condition #11 of the Decision applies to all outdoor lighting for the development, either depicted on the site plan or added thereafter.

I reviewed the Declaration of Trust submitted by the applicant and found it to be compliant with the terms of the Decision. Please note that I did not attempt to review or comment on the form of the documents as it otherwise concerns the rights and obligations of the declarant, the condominium trust, and the unit owners. The Town enforces the Zoning Bylaws through the terms of the Decision. While the terms of the condominium documents might conceivably allow for action inconsistent with the Approval, bear in mind that those terms do not bind the Town or any other regulatory authority and do not alter the terms of the Decision.

Please contact me with further questions.

HANCOCK ASSOCIATES

Surveyors | Engineers | Scientists

August 14, 2020

Mary Nardwarski
Boxborough Planning Board
29 Middle Road
Boxborough, MA 01719

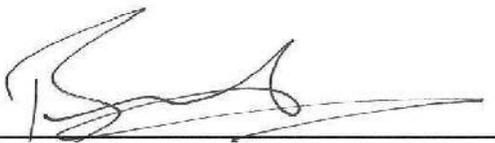
RE: 1172 Hill Road
Scenic Road Permit, Public Shade Tree Removal & Stone Wall Removal or Alteration Application

Dear Board Members,

Hancock Associates, on behalf of the applicant FTB Homes, LLC, respectfully submits this Scenic Road Permit, Public Shade Tree Removal & Stone Wall Removal or Alteration Application with the supporting materials. The applicant is proposing the construction single-family home on a parcel of land described by the Town of Boxborough's Assessors maps as Map 4, Lot 92 and having an address of 1172 Hill Road. The above mentioned parcel has a 50' wide strip of frontage on Hill Road, which is a Scenic Road as voted by the Town. A 14' wide driveway will be constructed to provide access to the proposed single-family home. In order to construct the driveway approximately 30' of stonewall must be removed. A site walk with the Tree Warden was done on the morning of August 14, 2020 and determined we would not be removing any Public Shade Trees to construct the driveway. Attached is the vetted application, a sketch depicting the proposed work, an abutters list certified by the Town Assessor, and the filing fee check.

If you have any questions please feel free to reach out and contact us.

Sincerely,
Hancock Associates



Brian Geaudreau, PE
Project Manager/Associate



Russell Tedford, EIT
Staff Engineer



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

Scenic Road Permit Application
Public Shade Tree Removal Application
Stone Wall Removal or Alteration Application

Assessor Parcel Number: Map , Lot 92

Project Location: 1172 Hill Road

Project Description: The construction of a driveway to provide access to a proposed single family home on Hill Road. The project will involve the removal of a section of stonewall.

Applicant Name: FTB Homes, LLC - Rick Ogilvie

Applicant Address: PO Box 216, Littleton, MA 01460

Applicant Phone Number: (978) 501-2904

Property Owner (if different): Estate of Hugel Marguerite

Owner Address: PO Box 554, Acton, MA 01720

Owner Phone Number: 207-730-1229

Scenic Road Permit Public Shade Tree Removal Stone Wall Application
(check all that apply)

1. Does the project require the removal or destruction of a stone wall? Yes No
If yes, what is the length of the proposed removal or destruction? 30 ft

2. Will any Public Shade Trees as defined by MGL Ch. 87, Sec. 1 be removed or significantly impacted because of the proposed construction? Yes No

If yes, what is the type of tree(s) to be removed and the diameter measured 2 feet from the ground? _____

Please note: It is the applicant's responsibility to meet with the Tree Warden prior to the filing of this application to determine if there are Public Shade Trees on the subject property.

Scenic Road Permit - Public Shade Tree Removal - Stone Wall Application

Attach a plan drawn to scale showing the property boundaries, the location of the proposed construction and location of any trees or portions of stone walls that will be removed or damaged. For a new driveway, the width of the driveway and limit of disturbance **shall be** marked on the road at least one week prior to the public hearing.

NOTE: A public hearing is required before a Scenic Road or a Public Shade Tree Removal Permit can be issued. The notice of the hearing must be published, at the applicant's expense, in The Beacon twice, the last publication to occur not less than 7 days prior to the hearing. The applicant will be notified by mail of the hearing date and is required to attend the hearing.

The undersigned hereby certifies that he/she has read and examined this application and that the proposed project is accurately represented in the statements made in this application.

Owner(s): *Susan deGrandpre, PR of the Estate of M. Hugel* dotloop verified
08/06/20 5:45:17 PM EDT
7LFE-GCPW-174C-3M11

_____ Date: _____

Applicant(s): *Ralph Ogilvie* dotloop verified
08/06/20 5:45 PM EDT
ZDLC-3375-LP08-IT3Y

_____ Date: _____

** The signature of the property owner(s) is required for the application to be accepted.



BOXBOROUGH PLANNING BOARD
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Scenic Road Requirements

The Town voted at the Special Town Meeting on February 3, 1975 to designate the following roads as Scenic Roads as provided for in Section 15C, Chapter 40 of the Massachusetts General Laws:

Burroughs Road
Davidson Road
Depot Road
Hill Road
Liberty Square Road between Depot Road and Sargent Road
Littlefield Road between Sargent Road and Depot Road
Middle Road between Hill Road and Depot Road
Old Harvard Road
Picnic Street
Pine Hill Road**
Sargent Road
Stow Road from Route 111 to Stow Town Line

** Voted at Special Town Meeting on October 7, 1975

Section 15C, Chapter 40 of the General Laws defines the following:

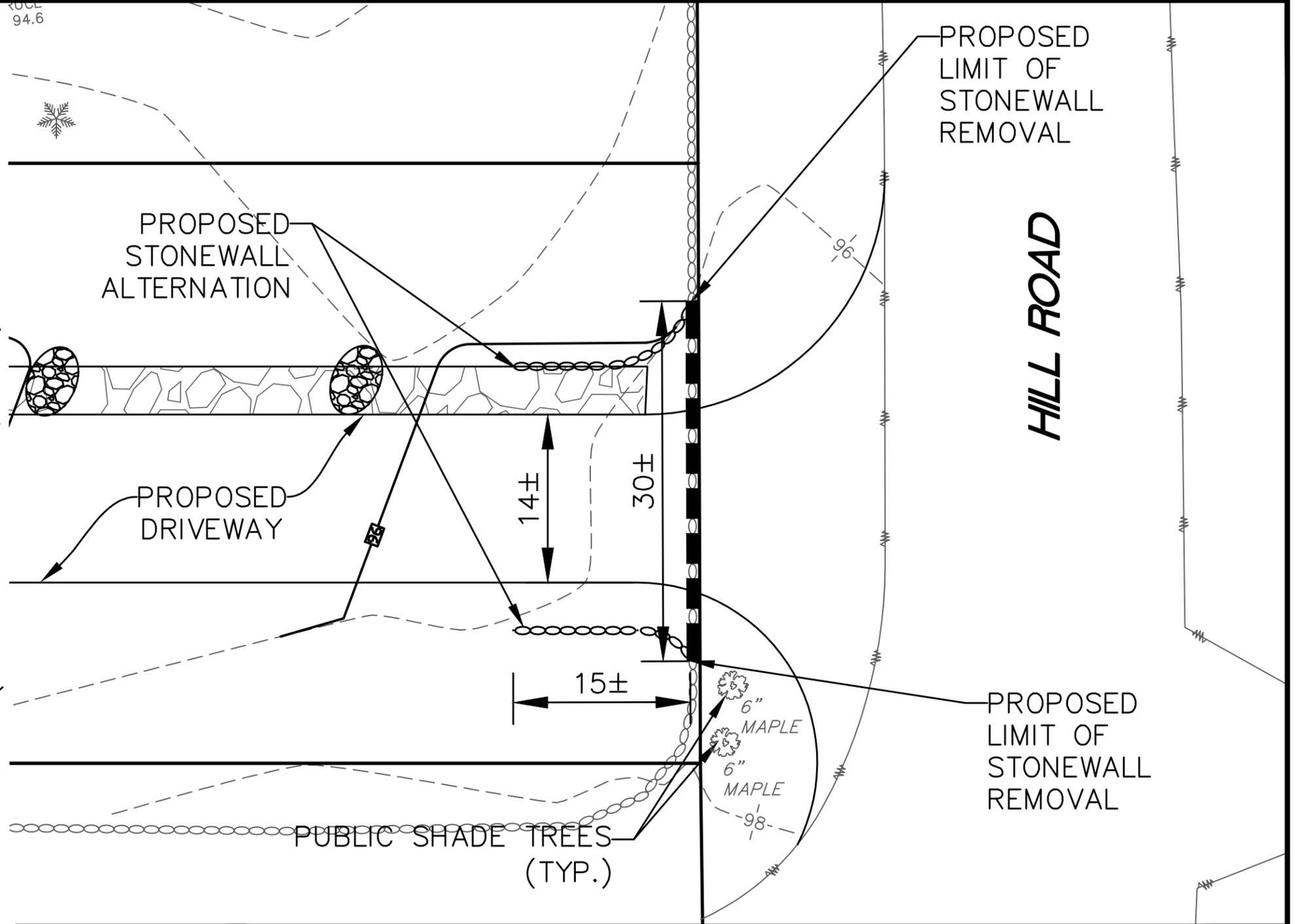
“After a road has been designated as a Scenic Road, any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing.”

PLAN 217 OF 2018

94.6

GENERAL NOTES

1. THE INTENT OF THIS PLAN IS TO PROVIDE A SKETCH TO AID THE PERMITTING OF A PROPOSED SINGLE-FAMILY HOME ON HILL ROAD. HILL ROAD IS A DESIGNATED SCENIC ROAD WITH PUBLIC SHADE TREES AND A STONEWALL REQUIRING A PUBLIC HEARING. THIS PLAN DEPICTS THE AMOUNT OF DISTURBANCE TO THE STONEWALL AND PUBLIC SHADE TREES ON HILL ROAD.
2. THE PROPERTY LINES & TOPOGRAPHIC FEATURES ARE COMPLIED BY AN ON-THE-GROUND SURVEY DONE BY THIS OFFICE ON . THE PUBLIC SHADE TREES SHOWN ON THIS EXHIBIT PLAN WHERE LOCATED DURING A SITE WALK ON AUGUST 11, 2020.
3. A SITE VISIT WAS CONDUCTED ON AUGUST 14, 2020 WITH THE TOWN OF BOXBOROUGH TREE WARDEN. HE CAME TO THE CONCLUSION THAT GIVEN OUR LIMITS OF DISTURBANCE WE WILL NOT BE REMOVING ANY PUBLIC SHADE TREES.
4. LOCATIONS OF EXISTING UNDERGROUND UTILITIES/OBSTRUCTIONS/SYSTEMS SHOWN HEREON ARE APPROXIMATE ONLY. ALL UTILITIES/OBSTRUCTIONS/SYSTEMS MAY NOT BE SHOWN. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UNDERGROUND UTILITIES/OBSTRUCTIONS/SYSTEMS, WHETHER OR NOT SHOWN HEREON.
5. SAFETY MEASURES, CONSTRUCTION METHODS AND CONTROL OF WORK SHALL BE RESPONSIBILITY OF CONTRACTOR.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR AND/OR REPLACEMENT OF ANY EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION THAT ARE NOT DESIGNATED FOR DEMOLITION AND / OR REMOVAL HEREON. DAMAGED IMPROVEMENTS SHALL BE REPAIRED TO THE SATISFACTION OF THEIR RESPECTIVE OWNERS.



DATE:	08/14/20
LAYOUT:	TREE SK
DESIGN:	RT
DRAWN:	RT
SCALE:	1" = 20'
DWG:	22898eng4.dwg

**SCENIC ROAD PERMIT, PUBLIC SHADE TREE REMOVAL
STONEWALL APPLICATION EXHIBIT PLAN**

1172 HILL ROAD
BOXBOROUGH, MA

HANCOCK ASSOCIATES

34 CHELMSFORD ST, CHELMSFORD, MA. 01824
VOICE (978) 244-0110, FAX (978) 244-1133

PATH: X:\22898-Hill-Boxborough\Eng\DWG\

SHEET
1 OF 1

JOB
NO.
22898

PLOT DATE: Aug 14, 2020

Castroville



TOWN OF BOXBOROUGH
Town Assessor
29 Middle Road
Boxborough, Massachusetts 01719
978-264-1720 • FAX 978-264-3127
sgenna@boxborough-ma.gov

REQUESTER
OFFICE
TOWN BOARD

COPY

REQUEST FOR ABUTTERS

DATE OF REQUEST: 06/30/20 DATE LIST NEEDED: 7/1/20

PROPERTY LOCATION: 1172 Hill Road

MAP 4 LOT 92 BLOCK _____

PROPERTY OWNER: Estate of Hugel Marguerite

REASON FOR LIST

- CONSERVATION COMMISSION
- ZONING BOARD OF APPEALS
- PLANNING BOARD
 - PRELIMINARY PLAN
 - SITE PLAN
 - DEFINITIVE PLAN
 - SPECIAL PERMIT
- BOARD OF SELECTMEN
- OTHER _____

RADIUS FOR ABUTTERS

300 FEET IMMEDIATE OTHER _____

REQUESTER INFORMATION

NAME Russell Tedford (Hancock Associates)

ADDRESS 34 Chelmsford Street
Chelmsford, MA 01824

PHONE (978) 244-0110 EMAIL rtedford@hancockassociates.com

OFFICE USE ONLY

DATE LIST PREPARED: 7/2/2020

FEE CHARGED: \$30.00

DATE PAID: 7/2/2020

AMOUNT PAID \$ 30.00

CHECK # _____

CASH

FEE SCHEDULE: \$1.00 PER NAME
\$10.00 MINIMUM
\$30.00 MAXIMUM

LIST IS VALID FOR SIX (6) MONTHS. TOWN ASSESSOR IS ALLOWED TEN (10) BUSINESS DAYS FROM DATE OF REQUEST TO PROVIDE CERTIFIED LIST OF ABUTTERS.



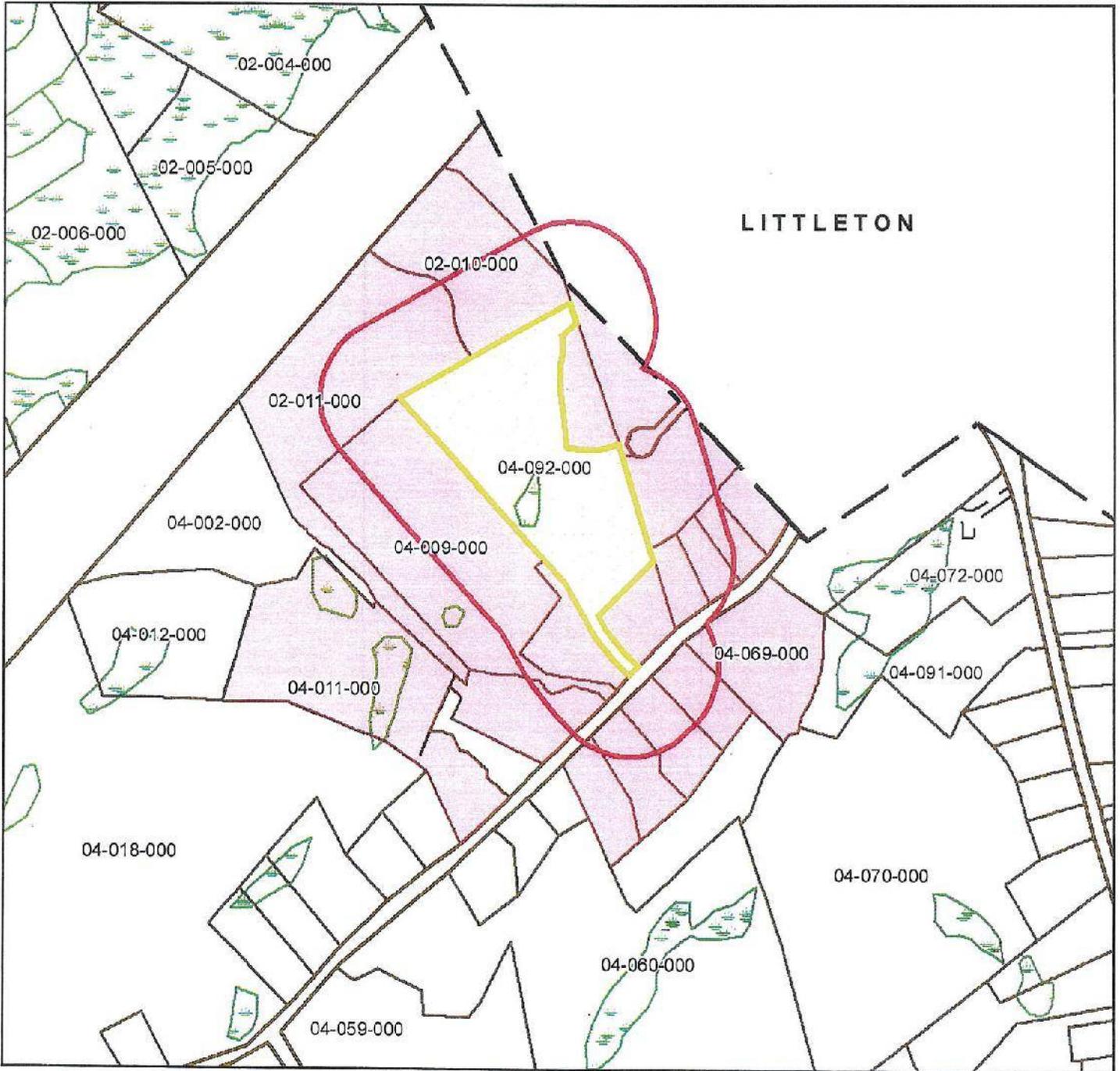
1172 Hill Rd

Boxborough, MA

1 inch = 555 Feet



June 30, 2020



Large Scale		Easements
CAI Town Line		Wet Areas
Property Line		
Road		

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

02-014-000	29 LEONARD ROAD	TURPIN VIRGINIA A	29 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	30 LEONARD ROAD	MAHONY BRIAN J.	30 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	31 LEONARD ROAD	SHAW LOIS A.	181 LITTLETON ROAD UNIT	CHELMSFORD	MA	01824
02-014-000	32 LEONARD ROAD	MEYER JOAN S, TRUSTEE	120 RUSSET LANE	BOXBOROUGH	MA	01719
02-014-000	33 LEONARD ROAD	BLATTERMAN III PRESCOTT H, TRU	P.O. BOX 2118	KILMARMOCK	VA	22482
02-014-000	34 LEONARD ROAD	BRADLEY GEORGIA A.	1630 YORKSHIRE TRAIL	LAKELAND	FL	33809
02-014-000	35 LEONARD ROAD	RICHARDSON JUDITH A.	35 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	36 LEONARD ROAD	CYR JOHN P, TRUSTEE	36 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	37 LEONARD ROAD	HUNT SALLY J	37 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	38 LEONARD ROAD	LEHTINEN BRIAN J	88 LEONARD RD.	LUNNEBRG	MA	01462
02-014-000	39 LEONARD ROAD	BAUCH AARON M	7 LYNN CT	BELLINGHAM	MA	02019
02-014-000	40 LEONARD ROAD	PAGE THOMAS	50 PAGE ROAD	WESTON	MA	02493
02-014-000	41 LEONARD ROAD	ZHANG JIAJUN	52 COOK STREET	BILLERICA	MA	01821
02-014-000	42 LEONARD ROAD	DECELLES LAWRENCE P	10 STRAWBERRY LANE	WESTFORD	MA	01886
02-014-000	43 LEONARD ROAD	MARTEL ROSS W	43 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	44 LEONARD ROAD	MURPHY JOHN F.	44 LEONARD RD	BOXBOROUGH	MA	01719
02-014-000	45 LEONARD ROAD	RICHEY JAMES L JR	51 WILLOW STREET	ACTON	MA	01720
02-014-000	46 LEONARD ROAD	DECELLES LAWRENCE P	10 STRAWBERRY LANE	WESTFORD	MA	01886
02-014-000	47 LEONARD ROAD	YANG XINXING	P.O. BOX 799	ACTON	MA	01720
02-014-000	48 LEONARD ROAD	KWAN FAY	48 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	49 LEONARD ROAD	RHODES MATTHEW C.	49 LEONARD RD	BOXBOROUGH	MA	01719
02-014-000	50 LEONARD ROAD	MANter WILLIAM P	178 MAIN STREET	BOYLSTON	MA	01505
02-014-000	51 LEONARD ROAD	PAGE MICHAEL	50 PAGE ROAD	WESTON	MA	02493
02-014-000	52 LEONARD ROAD	KINNUCANE MICHAEL J TRUSTEE	14 OVERLOOK DR EAST	FRAMINGHAM	MA	01701
02-014-000	53 LEONARD ROAD	ZHENG ZHIKANG	53 LEONARD RD UNIT 53	BOXOBROUGH	MA	01719
02-014-000	54 LEONARD ROAD	ROLLINS RICHARD	18 CARRIAGE LANE	STOW	MA	01775
02-014-000	55 LEONARD ROAD	SOLE NIKHIL	19 JOYCE LN	BOXBOROUGH	MA	01719
02-014-000	56 LEONARD ROAD	BOUNDOKIN DMITRI	56 LEONARD RD	BOXBOROUGH	MA	01719
02-014-000	57 LEONARD ROAD	YANG HAIYING	35 RIDGEWOOD DR	STOW	MA	01775
02-014-000	58 LEONARD ROAD	SWEENEY DANIEL G TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
02-014-000	59 LEONARD ROAD	IVES PETER D	59 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	60 LEONARD ROAD	FOLEY JAMES L	60 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	61 LEONARD ROAD	SMITH JENNIFER A	270 SUNDERLAND ROAD #28	WORCESTER	MA	01604
02-014-000	62 LEONARD ROAD	FRANKE LOU ANN	62 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	63 LEONARD ROAD	RONG XIANHUI	150 MIDDLE ROAD	BOXBOROUGH	MA	01719

02-014-000	64 LEONARD ROAD	SWEENEY DANIEL G, TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
02-014-000	65 LEONARD ROAD	YUNG JEFFREY	15 FIELDSTONE DRIVE	WESTFORD	MA	01886
02-014-000	66 LEONARD ROAD	BOOTHROYD BRIAN J	360 LITTLETON ROAD 8-D	CHELMSFORD	MA	01824
02-014-000	67 LEONARD ROAD	ECKERT RYAN	37 WINTER STREET	ASHLAND	MA	01721
02-014-000	68 LEONARD ROAD	SWEENEY BARBARA ANN, TRUSTEE	P.O. BOX 794	LITTLETON	MA	01460
02-014-000	69 LEONARD ROAD	CAREY BRIAN J	69 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	70 LEONARD ROAD	ROMILLY EDGAR P/ KENT CHARLES	26 ORCHARD DRIVE	LITTLETON	MA	01460
02-014-000	71 LEONARD ROAD	SWEENEY BARBARA ANN, TRUSTEE	P.O. BOX 794	LITTLETON	MA	01460
02-014-000	72 LEONARD ROAD	BROOKS MARK B, TRUSTEE	P O BOX 683	ACTON	MA	01720
02-014-000	73 LEONARD ROAD	ESPINOSA LAODICE A.	73 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	74 LEONARD ROAD	CHAU ALBERT CM	403 S MAIN ST	SHARON	MA	02067
02-014-000	75 LEONARD ROAD	LOPEZ AFIYA C.	75 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	76 LEONARD ROAD	BONNELL BEVERLY L.	76 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	77 LEONARD ROAD	EFRAT ITAY	37 ORCHARD LANE	WAYLAND	MA	01778
02-014-000	78 LEONARD ROAD	RAVKIN VLADIMIR	78 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	79 LEONARD ROAD	GARDNER KATHRYN A	79 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	80 LEONARD ROAD	YANG HAIYING	3 OAKES LANDING	SHIRLEY	MA	01464
02-014-000	81 LEONARD ROAD	LANDO CARL	58 SPECTACLE POND ROAD	LITTLETON	MA	01460
02-014-000	82 LEONARD ROAD	DECELLES LAWRENCE P	10 STRAWBERRY LANE	WESTFORD	MA	01886
02-014-000	83 LEONARD ROAD	PERINI CAROLE	P.O. BOX 131	HARVARD	MA	01451
02-014-000	84 LEONARD ROAD	COBLEIGH SHAWN, TRUSTEE	84 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	85 LEONARD ROAD	SWEENEY DANIEL G, TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
02-014-000	86 LEONARD ROAD	CHENG-YAN MIN	243 MADISON ST	DEDHAM	MA	02026
02-014-000	87 LEONARD ROAD	SUN YANGREN	8 HOLBROOK LANE	WESTFORD	MA	01886
02-014-000	88 LEONARD ROAD	CONCEISON JAMES	88 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	89 LEONARD ROAD	MURPHY NANCY J	89 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	90 LEONARD ROAD	RAJBHANDARI BYAS	1 WILDERNESS ROAD	LITTLETON	MA	01460
02-014-000	91 LEONARD ROAD	LEARY KEVIN W	UNIT 303	ENGLEWOOD	CO	80113
02-014-000	92 LEONARD ROAD	MCCALL DOROTHY A	51 WILLOW STREET	ACTON	MA	01720
02-014-000	93 LEONARD ROAD	AHERN DONALD W	93 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	94 LEONARD ROAD	MCCARTHY KAREN	94 LEONARD ROAD	BOXBOROUGH	MA	01719
02-014-000	95 LEONARD ROAD	COSTIN DIANE	21 SPARTAN ARROW ROAD	LITTLETON	MA	01460
02-014-000	96 LEONARD ROAD	CANTINO FRANCIS J	34 SHAKER LANE	LITTLETON	MA	01460

1172 Hill Rd
 04-007-000
 Abutters List 300 Feet


 Certified by Sanders J. Genna, Town Assessor

02-015-000	0 LEONARD ROAD	SWEENEY DENNIS P, TR &	733 TURNPIKE STREET	N ANDOVER	MA	01845
04-003-000	1238 HILL ROAD	SWEENEY DANIEL G	78 CENTURY MILL ROAD	BOLTON	MA	01740
04-004-000	1228 HILL ROAD	SWEENEY DANIEL G, TRUSTEE	78 CENTURY MILL ROAD	BOLTON	MA	01740
04-005-000	1214 HILL ROAD	DIPESH PATEL LLC	49 WOOD LN	MAYNARD	MA	01754
04-006-000	1198 HILL ROAD	3E PROPERTIES LLC	32 HOWARD RD.	MAYNARD	MA	01754
04-007-000	1178 HILL ROAD	PECULIS MATTHEW	1178 HILL RD	BOXBOROUGH	MA	01719
04-008-000	1166 HILL ROAD	TAYLOR DAVID R	1166 HILL ROAD	BOXBOROUGH	MA	01719
04-009-000	1164 HILL ROAD	LEONARD MICHAEL D	389 ADAMS ROAD	GREENFIELD	MA	01301
04-011-000	1098 HILL ROAD	MCLW, LLC	68 HARWOOD AVENUE	LITTLETON	MA	01460
04-011-000	1096 HILL ROAD	MARCHMONT GUY	1096 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1098 HILL ROAD	CASANAVE DAVID & SUZANNE, TRUS	1098 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1092 HILL ROAD	BUNYARD SIMON C.	1092 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1094 HILL ROAD	ZWAAN JOHANNA M	1094 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1088 HILL ROAD	ST. AMAND DAVID G.	1088 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1090 HILL ROAD	LABENSKI JOSEPH /DEBRA, TRUSTE	1090 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1136 HILL ROAD	KOLLER GEORGE	1136 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1138 HILL ROAD	MAGNER NEIL & ANDREA TRUSTEES	1138 HILL RD	BOXBOROUGH	MA	01719
04-011-000	1146 HILL ROAD	HOGAN DANIEL/LESLIE TRUSTEES	1146 HILL ROAD	BOXBOROUGH	MA	01719
04-011-000	1148 HILL ROAD	MOTTA JUDITH ANN TRUSTEE	1148 HILL ROAD	BOXBOROUGH	MA	01719
04-064-000	1151 HILL ROAD	KOSAKOWSKI MATTHEW J	1151 HILL ROAD	BOXBOROUGH	MA	01719
04-065-000	1165 HILL ROAD	RAMAKRISHNAN TERIZHANDUR S.	1165 HILL ROAD	BOXBOROUGH	MA	01719
04-066-000	1171 HILL ROAD	ZHAO XIAOPENG	1171 HILL ROAD	BOXBOROUGH	MA	01719
04-067-000	1175 HILL ROAD	XIA LIYAN	1175 HILL ROAD	BOXBOROUGH	MA	01719
04-069-000	1195 HILL ROAD	RD KANNIARD HOMES INC	PO BOX 1321	LITTLETON	MA	01451

September 22, 2020

From: David and Sally Taylor
1166 Hill Rd, Boxborough

To: Simon Corson, Town Planner
Boxborough Planning Board
Boxborough Zoning Board of Appeals

RE: 1172 Hill Rd proposal

Dear Mr. Corson, Planning Board and ZBA Board members,

I would appreciate it if this correspondence and **request** could be included in both the Planning Board and Zoning Board of Appeals records for the **1172 Hill Rd project**. We are planning to attend the meetings via Zoom; however, I don't think I will be able to say everything I would like therefore I feel it's better to put it in writing for the Boards.

As direct abutters to 1172 Hill Rd, the proposed driveway for this project is troublesome to us as it infringes further on our privacy. **I will get to the reasons below, but our request is, if this project is fully approved:**

1. **The applicant will install no less than an 8-foot-high fence along the property line between 1166 Hill Rd and 1172 Hill Rd from the street, to a point to be agreed upon by The Taylor's, applicant, Planning Board and ZBA as part of the conditions for approval.**
 - a. Fence should not be made of wood, such as a stockade-type fence, which has the potential to decay and fall over time.
 - b. Preference is for metal fencing, such as chain link, with interwoven materials to block visual and sound.

Here is our rationale and back-story:

- The proposed driveway, as there is no other feasible access to the property, will require grading due to the downward slope and changes the landscape immediately adjacent to our property.
- It will also require removal of trees and vegetation- which will infringe on the privacy we have enjoyed for 30 years. Our home is set back from the street for a reason, to wit- privacy from visible and audible disturbance.
- With a 50-foot wide access strip, and a 14-foot wide driveway, as proposed the edge will be **18 feet from our property line** in an area of our property (side and back yard) which is one of our main usage areas.
 - The construction machinery and traffic will be a "joy" to say the least.

Anyone who walks the area of the proposed driveway will immediately perceive this dilemma. We will have a driveway almost running through our side and back yard.

- We have already experienced an extreme loss of privacy, with the 2012 building of the townhomes at 1146 Hill Rd.
- Due to topography/elevation, the building literally looms over us as we look out our windows or exit our home to enjoy our own yard. A photo would not do it justice in perceiving the scope. Please come see for yourself!

David and Sally Taylor- 1166 Hill Rd
RE: 1172 Hill Rd project

- This construction also changed how much road noise we hear- formerly none and now quite a bit, as well as visual disturbances at night in the form of headlights flashing into our windows from Hill Rd, neither of which is something we ever contended with before.

Although I believe that part of the conditions at that time was installation of trees, the trees planted were tiny evergreen-type trees, and we'll probably be long dead before they ever reach any sort of effective growth. There is some vegetation and a few hardwood trees whose foliage provides some measure of semi-privacy in the summer, but in the winter, there is none whatsoever. We have no control over the fate of the any of the trees- not being on our property, and one of the owners has previously expressed a desire to remove one of the hardwood trees which provides us shade and some "cover" in the Summer. Luckily that hasn't happened yet. A fence here would be useless as it would have to be the equivalent height of a 5-story building at least!

Hence our request for a fence along the 1166 and 1172 Hill Rd property line, to preserve any remaining privacy and quiet we may have from the noise of vehicles traveling the driveway, or headlights flashing into our bedroom windows at night.

We think a Special Permit for a frontage variance of 100 feet is quite a stretch. We understand that certain "unclear title" issues (what exactly are those?? That information is from the applicant and it's not clear what they are or could they be overcome?) apparently have prevented the applicant from sighting the driveway at the end of Leonard Rd, which of course would be more preferable to us, (and I am sure my neighbors Matt & Megan Peculis- who will also be seriously impacted by this proposed driveway) from a traffic perspective since access would be gained via an area already subject to heavier traffic from the Meenmore Condominiums.

We understand that there is a "right to build" given the appropriate approvals are granted and there is nothing we can do about it in general. **However, in the spirit of being "good neighbors" and cooperative and not kicking up a huge fuss as life-long residents in an historic and scenic area, we respectfully ask for this concession.**

Another historical backstory- Back in 1950- three couples from the city- The Taylors, the Hugels, and the Hilbergs came out to Boxborough and jointly bought a large tract of land on Hill Rd. They intended to live a quiet country life and in the case of my in-laws, also do farming, as Boxborough was surely "country" back in those days. They helped each other build their homes and divided the larger portion into 3 separate properties. What remains of this original property has mostly been further sectioned out and is no longer in the hands of the heirs, with the exception of the Taylor property- being owned by us, and my sister-in-law Denise (Taylor) Leonard, this remaining section of Hugel property at 1172 Hill Rd, and a portion of the Hilberg's in Kristen Hilberg's home,

Being that the Hugel's property prior to the most recent subdivision was under Chapter 61B, it's a shame that the Town, with first right of refusal, would not consider preserving this large tract of land as open space. It would connect it to another Town-owned property at 1164 Rear Hill Rd. It is so beautiful and scenic and wild back there and wonderful for hiking and enjoying nature in its undisturbed form- such a shame it will be despoiled.

However, it's possible that ship may have sailed so we respectfully request your full consideration of our request when reviewing and potentially approving this project.

Sincerely,

Dave and Sally Taylor
1166 Hill Rd Boxborough MA 01719
Romanov785@gmail.com
H- 978-263-0318
M- 978-804-5620

David and Sally Taylor- 1166 Hill Rd
RE: 1172 Hill Rd project

Created: July, 2019; Updated: June, 2020

1	2	3	4	5	6	7	8	9
Short Term Priority	Aspiration	Goal	Strategy	Action where PB is Lead	Action where PB is Coordinating Board	Timeframe	Notes	Status - As of Joint Meeting with Select Board on Jan 13, 2020
	Aspiration 1 - Maintain its rural character and celebrate its heritage	Goal 1.1 - Protect the towns heritage and character through the preservation of both natural and historic scenic areas, roadways and landscape features.	Strategy 1.1.2 - Preserve and Reinforce the Town Center District as Boxborough's center for governance, municipal services and town-wide events	Action 1.1.2.1 - Review existing Town Center zoning and design guidelines, making necessary amendments to preserve character and encourage appropriately scaled and designed developments.		Short - Medium Term (1-7 yrs)	Coordinate with DRB (Note DRB Actions 1.2.1.1 and 1.2.1.2 include updated guidelines for TC with coordination with the PB. Short-medium term 1-7 yrs	There have been changes to Town Center zoning. The Planning Board will continue to monitor Town Center guidelines. There is currently no specific activity underway, as this is a short to medium term action item.
*1			Strategy 1.1.4. - Proactively Plan for Water Resource Management and Protection	Action 1.1.4.3 - Review Watershed and Aquifer Protection zoning to protect Zone II's and existing and potential well sites in Boxborough and neighboring towns.		Short Term (1-3 yrs)	Share Lead responsibility with Water Resources Committee and Board of Health	Water Resources Committee reviewed Zone II's and well sites in Boxborough's neighboring towns and state regulatory requirements. Have not reached a point of discussion on what zoning changes might be needed. UMass students have digitized a 1978 map and created shape files and GIS layers. The goal is to incorporate it into the Town GIS dataset so the public can view the Aquifer Overlay District.
		Goal 1.2 - New Development and Redevelopment will be physically designed to blend into the town's rural landscape.	Strategy 1.2.1 - Strengthen the Design Review process for any development without hindering economic development		Action 1.2.1.1. - Review existing design guidelines for Town Center District and update guidelines to include considerations for larger scale developments in other commercial areas	Short Term (1-3 yrs)	DRB Lead / Coordinate with PB and Town Planner	Design Review Board Update – No update.
					Action 1.2.1.2 - Adopt and incorporate building design guidelines into the review process to ensure future developments are physically consistent with the town character.	Short - Medium Term (1-7 yrs)	DRB Lead / Coordinate with PB and Town Planner	Design Review Board Update – No update.
		Goal 1.3 - Protect and/or acquire additional lands for conservation, water resources protection, wildlife habitat, agricultural land preservation, recreation, trails, and wildlife corridors.	Strategy 1.3.1 Proactively review and amend the list of existing and desired parcels of land for acquisition and preservation.	Action 1.3.1.1 - Continue to review and prioritize acquisition of lands that protect multiple resources and assets.		Ongoing	Coordinate with Fin Com, Cons Com, AgCom, BOH and WRC	Planning Board reported that as parcels come available, they will be reviewed. Currently, no additional lands have been identified and prioritized.
					Action 1.3.1.2 - Periodically review land classified as MGL Chapters 61, 61A and 61B and be prepared to make recommendations including exercising the Town's right of first refusal- ongoing	Ongoing	Coordinate with Fin Com, Cons Com, AgCom, BOH and WRC	Planning Board reported it is not aware of any new land parcels available. Mr. Fox shared that he is unsure of the order of this process and that it would be a collective/scattered effort by boards to collaborate prior to taking action. Lead Responsibility has been revised, now it includes both the Planning Board and the Select Board.
					Action 1.3.1.3 - When acquisition may not be feasible, work with private landowners, investors, and conservation groups to place appropriate conservation easements or agricultural restrictions on their land to ensure it remains undeveloped in perpetuity.	Ongoing	Cons Comm and Ag Comm Lead / Coordinate with PB	Conservation Commission reported it continues to work closely with the Boxborough Conservation Trust to identify land conservation opportunities other than acquisition. Over the last 2 years it has accepted new conservation restrictions for Inches Woods for approximately 25 acres and for Elizabeth Brook Knoll for approximately 15 acres. Agricultural Commission explained that it has worked to clarify the authority of agricultural commissions under amendments to MA law. The amendments gave agricultural commissions the authority to hold land. Have entered into a memorandum with the understanding from the Conservation Commission and Select Board to assume oversight for the agricultural parcel at Paddock Estates.

Created: July, 2019; Updated: June, 2020

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Short Term Priority	Aspiration	Goal	Strategy	Action where PB is Lead	Action where PB is Coordinating Board	Timeframe	Notes	Status - As of Joint Meeting with Select Board on Jan 13, 2020
	Aspiration 3 - Is Thoughtfully Developed	Goal 3.1 Guide and concentrate commercial growth in Business, Office Park and Town Center Districts	Strategy 3.1.1 - Create a long term vision for the town's commercial areas, prioritizing enhanced quality of life over expanding the commercial tax base.		Action 3.1.1.3 - Index commercial development opportunity sites for potential private acquisition, assembly or development	Ongoing	EDC Lead / Coordinate with PB and Fin Com	EDC reported that the focus in on the current Town Center district and adjacent lands for multi-use small scale green-type development. Adam's Place and Beaver Brook are sites apt to larger development opportunities. The results of the study will provide further insight into larger scale development. Will also work with Water Resources Commission when considering these opportunities.
			Strategy 3.1.3 - Establish a Village Business District as Boxborough's commercial center		Action 3.1.3.1 - Explore development of an area for a village business district and obtain property owner buy-in if necessary	Short - Medium Term (1-7 yrs)	EDC Lead / Coordinate with PB	Economic Development Committee Update – EDC reported that, from the UMass study, the Town Center district and Adam's Place are optimal locations to explore deeper with respect to landmass, physical constraints, market analysis and infrastructure constraints. Also received input through a Town business breakfast.
					Action 3.1.3.2 - Investigate potential zoning amendments to encourage and support appropriate development and utility support in a village business setting	Medium - Long Term (4-10+ yrs)	EDC Lead / Coordinate with PB	EDC reported the focus in on completing Phase II of the UMass Study to determine longer term regulatory challenges. For short term regulatory changes, proposals are currently being brought to the appropriate boards.
*2			Strategy 3.1.4 - Implement land use policies that support and encourage appropriately scaled and mixed-use developments in key areas of town.	Action 3.1.4.1 - Conduct a thorough review of the Town's land use controls, including dimensional requirements and conservation bylaws on commercially zoned land, to identify barriers to growth for appropriately scaled development.		Short Term (1-3 yrs)	Coordinate with EDC, Cons Com, Ag Com, BOH	Planning Board reported that it is working with the EDC and UMass Study to identify opportunities for changes to the dimensional requirements, and other potential zoning changes to address barriers of growth for appropriately scaled development. It has also received approval from Special Town Meeting and \$10,000 for a zoning bylaw audit which will help clean up the bylaws and better position them for future changes.
					Action 3.1.4.2 - Consider regulatory tools that can guide and encourage growth in appropriate areas, such as incentive zoning overlays or floor area ration (FAR) density bonuses for developments that incorporate affordable housing or agricultural or open space management	Medium Term (4-7 yrs)	EDC Lead / Coordinate with PB, Cons Com, HB, Ag Com, BOH	EDC reported that the UMass study is a tool to leverage development once the Study is complete.
			Strategy 3.1.5 - Catalyze private investment in key commercial districts		Action 3.1.5.1 - Invest in public infrastructure in commercial areas to attract private investment.	Medium Term (4-7 yrs)	EDC Lead / Coordinate with PB, SB, BoH, WRC	EDC reported it is planning to have the Water Resources Commission and Board of Health at a meeting. The group will review how to develop areas with and without infrastructure development. Action has been revised to medium-long term. Finance Committee was added to coordinating
					Action 3.1.5.2 - Engage in public-private partnerships to stimulate appropriate forms of development and redevelopment on key opportunity sites.	Medium Term (4-7 yrs)	EDC Lead / Coordinate with PB, SB	EDC reported that will need to understand the Town's desires prior to action

Created: July, 2019; Updated: June, 2020

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Short Term Priority	Aspiration	Goal	Strategy	Action where PB is Lead	Action where PB is Coordinating Board	Timeframe	Notes	Status - As of Joint Meeting with Select Board on Jan 13, 2020
		Goal 3.2 - Attract and retain businesses in key existing and emerging industries	Strategy 3.2.1 - Promote Boxborough as a great place to do business for existing and prospective businesses.		Action 3.2.1.3 Identify target industries to market development incentives and land use policies to attract and retain businesses in those industries	Ongoing	EDC Lead / Coordinate with PB and WRC	Economic Development Committee Update – No update, waiting for completion of UMass Study.
			Strategy 3.2.2 - Foster Boxborough's participation in a sustainable regional agricultural economy		Action 3.2.2.2 - Ensure that Town policies and regulations are supportive of agriculture	Ongoing	Ag Com Lead / Coordinate with PB	Agricultural Commission reported that it worked to clarify regulatory requirements and exemptions for agriculture. It had also advocated for earlier involvement on issues that involve agriculture.
					Action 3.2.2.5 - Periodically review the Boxborough Right to Farm Bylaw and make amendments as necessary.	Ongoing	Ag Com Lead / Coordinate with PB	No update.
					Action 3.2.2.6 - Review Town policies and regulations and amend as necessary to ensure clarity and consistency of agricultural use definitions	Short - Medium Term (1-7 yrs)	Ag Com Lead / Coordinate with PB	No update.
					Action 3.2.2.7 - Consider adding "Agricultural Business" in the Zoning Bylaw Use Regulations as a permitted use in residential and business districts to allow farm stands and similar agricultural business operations at existing and future farms	Short - Medium Term (1-7 yrs)	Ag Com Lead / Coordinate with PB and Town Planner	Agricultural Commission reported it reviewed this action with the previous town planner in 2016 and drafted a memo for review. They are working with the EDC and Planning Board to determine feasibility.
		Goal 3.4 - Local regulations will reflect community aspirations and yield desired results	Strategy 3.4.1 - Minimize development impact by protecting the town's limited water supply and managing stormwater runoff		Action 3.4.1.1 - Review areas where stormwater runoff issues exist due to concentration of impervious surface.	Short term (1-3 yrs)	Cons Comm is Lead / Coordinate with PB, DPW, BoH and WRC	Conservation Commission reported that it ensures conformance with best practices of stormwater management in cases of development and redevelopment for applicants filing notice of intent under the Wetlands Protection Act and/or Town Wetlands Bylaw. Existing nonconforming and/or problematic runoff locations are typically unknown until identified through wetlands filing. The Commission has very limited ability to address existing non-conforming conditions unless prompted by a new and/or closed activity.
				Action 3.4.1.2 - Incorporate low-impact development design guidelines into the development review process		Short term (1-3 yrs)	Coordinate with Staff, MAPC, Consultants	Town Planner has been working with an outside consultant to update the Stormwater Bylaw to align with the latest requirements of the MS4 Permit. The Planning Board will review and provide additional comments on the proposed Stormwater Bylaw in anticipation of a presentation at the Annual Town Meeting. The Board will continue to identify and encourage opportunities for reduced water consumption in new development projects
*3								

Created: July, 2019; Updated: June, 2020

1	2	3	4	5	6	7	8	9
Short Term Priority	Aspiration	Goal	Strategy	Action where PB is Lead	Action where PB is Coordinating Board	Timeframe	Notes	Status - As of Joint Meeting with Select Board on Jan 13, 2020
*4				Action 3.4.1.3 - Revisit subdivision regulations regarding roadway width and amend as appropriate		Short term (1-3 yrs)	Coordinate with DPW and Police and Fire Dept	Planning Board reported that the roadway and subdivision regulations relate to traffic and public safety needs. Any modification of the roadway widths will need to be discussed with public safety officials. The Board will further investigate the use of more pervious roadway materials with Town staff, noting impacts such as that to snow plowing. The Town has applied for a Municipal Vulnerability Preparedness (MVP) Planning grant and was awarded \$15,000 in early 2020.
			Strategy 3.4.3 - New Housing and commercial development will prioritize design quality, energy efficiency and preservation of open space.	Action 3.4.3.1 - Explore the potential use of regulatory tools such as transfer of development rights (TDR), natural resource protection zoning or payment in lieu of taxes (PILOT) programs to support open space preservation and affordable housing development in the Town's Agriculture-Residential Zoning District.		Medium Term - (4 - 7 yrs)	Coordinate with Fin Comm, Cons Com, HB and Ag Com	Planning Board reported a balanced approach is necessary with respect to the EDC studies. The studies are to be used as available tools for the Town.
				Action 3.4.3.2 - Provide floor area ratio (FAR) Density bonuses for commercial and housing development that incorporate active agricultural management or open space preservation in their overall development design.		Medium Term - (4 - 7 yrs)	Coordinate with Fin Comm, HB and Ag Com	Planning Board reported that this is a medium-term objective for determining what the Town is seeking to achieve. Town would receive a better consensus following the completion of the UMass Study, whereas the Board will then be able to make proposed recommendations.
	Aspiration 4 - Provides high quality services and amenities	Goal 4.2 - Maintain excellent municipal facilities and services	Strategy 4.2.1 - Regularly review Town's capital improvements needs and continue to plan for maintenance, in concert with the Town's annual capital plan and Town Meeting		Action 4.2.1.1. - Continue to explore the creation of or finding locations for new Police and Fire Department facilities and Department of Public Works facilities.	Short - Medium term (1-7 yrs)	Select Board Lead / Coordinate with PB, Fin Com, Police and Fire, DPW, Town Planner, COA, Cons Comm	
	Aspiration 5 - Is conscientious about consumption	Goal 5.1 - Reduce the town's overall carbon footprint	Strategy 5.1.3. - Develop mechanisms to support use of alternate fuel vehicles.		Action 5.1.3.3.- Explore a plan for incentives to encourage new residential developments to install electric vehicle charging stations	Medium term (4-7 yrs)	Sustainability (Energy) Comm Lead/ Coordinate with PB	
*5	Aspiration 6 - Is Affordable and Accessible	Goal 6.1 - Increase the availability of housing in Boxborough, including subsidized, market rate, rental and for sale homes	Strategy 6.1.2 - Support the Development of a diverse mix of housing that meets the needs of Boxborough Residents across all income and age groups	Action 6.1.2.3 - Prioritize seniors' housing needs such as accessibility features in the permitting and development of all multi-family development projects		Short Term (1-3 yrs)	Coordinate with CoA and HB	
*6				Action 6.1.2.4 - Analyze the prevalence of "tear downs" in Boxborough to determine if the demolition of existing single-family homes is contributing to the limited supply of home ownership opportunities for moderate-income households		Short Term (1-3 yrs)	Coordinate with Staff	
*7			Strategy 6.1.4. Amend local policies and monitor regulatory compliance to reduce regulatory barriers and proactively plan for Boxborough's housing needs.	Action 6.1.4.1 - Review the Town's zoning bylaw land use controls, including quadrangle requirements to better understand how this requirement affects the development potential of oddly shaped but otherwise suitable land parcels.		Short Term (1-3 yrs)	Coordinate with Town Planner	

Created: July, 2019; Updated: June, 2020

1	2	3	4	5	6	7	8	9
Short Term Priority	Aspiration	Goal	Strategy	Action where PB is Lead	Action where PB is Coordinating Board	Timeframe	Notes	Status - As of Joint Meeting with Select Board on Jan 13, 2020
*8				Action 6.1.4.2 - Identify barriers to multi-family development, including use and intensity restrictions in the Town's zoning bylaws as a means to support more housing options in Boxborough.		Short Term (1-3 yrs)	Coordinate with Town Planner	
				Action 6.1.4.3 - Analyze the efficacy of accessory dwelling units, both attached and detached as a means to meet affordable housing needs in Boxborough. Review the bylaw language as well as units that have been constructed since the bylaw was enacted to determine if amendments are necessary to expand its use.		Medium - Long Term (4-10+ yrs)		
			Strategy 6.1.5 - Promote universal /inclusive design for new construction and renovation to increase accessibility for all, including people with disabilities	Action 6.1.5.1 - Identify barriers to universal /inclusive design in existing zoning bylaws and amend as necessary.		Medium Term (4-7 yrs)	Coordinate with CoA, DRB, Community Services Director and Buildig Department	
*9	Aspiration 7 - Is regionally well-connected	Goal 7.1 - Increase the quality, safety, accessibility, and reliability of transportation options for all income and age groups	Strategy 7.1.1 - Encourage active modes of transportation, such as walking and biking	Action 7.1.1.1. - Consider adoption of "Complete Streets" policy that would improve safe road access for all users, including bicyclists and pedestrians.		Short term (1-3 yrs)	Coordinate with SB, DPW, Town Planner	
*10				Action 7.1.1.2. - Develop a prioritized plan for new sidewalks and bicycle infrastructure to connect to 1) schools, 2) recreational resources, 3) shopping/dining, 4) commuter rail, 5) residential areas. Include input from residents, businesses, and regional organizations in the plan		Short tem (1-3 yrs)	Coordinate with Rec Comm, EDC, COA, Town Planner and DPW	
				Action 7.1.1.3 - Implement the 2003 Economic Development Trail Master Plan along Route 111 / Massachusetts Avenue.		Short-Medium Term (1-7 yrs)	Coordinate with DPW, ConsCom	
					Action 7.1.1.4. - Provide bicycle parking at destinations throughout town including but not limited to, Town Hall, Fifer's Field, Hayward Farm/Oscar's Burritos, Nashoba Valley Olympia and additional capacity at Liberty Fields	Medium Term (4-7 yrs)	Rec Comm is Lead. Coordinate with PB, EDC, DPW, Town Planner	
		Goal 7.2 Continue to Engage in Partnerships with surrounding towns and the region	Strategy 7.2.1 - Continue participation in regional planning conversations and decision-making		Action 7.2.1.1 - Continue participation in MAPC and MAGIC subregional council meetings and initiatives	ongoing	Select Board is Lead. Coordinate with PB, Town Planner and Town Administrator	
					Action 7.2.1.2 - Continue to advocate for regional transportation solutions with Regional Transportation Authorities and as a member of the Boston Region Metropolitan Planning Organization, Cross Town Connect and 495/MetroWest Partnership and with other regional entities and neighboring towns.	ongoing	Select Board is Lead. Coordinate with PB, Town Planner, Town Administrator and CoA	



October 1, 2020

Boxborough Planning Board
29 Middle Road,
Boxborough Ma 01719

Re: Scenic Road Special Permit Application
1172 Hill Road
FTB Homes, LLC
Project No. 5481

Dear Board Members:

This office has reviewed the Scenic Road Permit application submitted by Hancock Associates for the property at 1172 Hill Road dated August 14, 2020.

We offer the following comments:

1. The plan scale appears to be 1" =10'. All our comments will be based on this scale, not the stated scale of 1" =20'.
2. The driveway is 14' wide with 4' shoulders which seems excessive for access to a single family house. This proposed cross section requires a total wall removal of 30'. A typical single family driveway is 12' typically with 2' shoulders for snow storage.
3. The radii at the intersection scales at 15' and will intersect the driveway on the abutting property to the west. Typically, the radius of a driveway should end where a projection of the property line intersects the roadway. Residential driveways often have 10' turning radius at the intersection.

This office would recommend that the applicant justify the proposed dimensions of the driveway, shoulder and radii. There may be a compelling reason for the wider opening that is not clearly identified in the application materials. The Board can then determine the appropriate dimensions given the Scenic Road status of Hill Road.

Please contact this office should you have any questions regarding these comments or the project in general.

Thank you.

Very truly yours,
Places Associates, Inc.

BY: 

Susan E. Carter, P.E., LEED AP
Director of Engineering, President



October 1, 2020

Boxborough Planning Board
29 Middle Road,
Boxborough Ma 01719

Re: Review Operations and Maintenance Documents
Condominium Documents
Enclave at Boxborough (EAB)
Project No. 5249

Dear Board Members:

This office has reviewed the Operations and Maintenance Plans (O&Ms) submitted by Toll Brothers on September 22, 2020.

We offer the following general comments, followed by comments specific to individual documents. It should be noted that some of these comments are not the result of regulatory requirements but from experience with Condominium management/administration.

1. It is not clear where in these documents the EAB Homeowners are responsible for the maintenance of the roadway, landscaping and presumably lighting, irrigation and fences within Access Easement "C". It is not clear if there is a separate document addressing these issues as well as liability within the easement area and recourse to Tisbury and Sheriff's Meadow if the O&M items are not being addressed in a timely manner.

2a. Roadways and Access Easement "C"

1. This document should clearly identify that EAB is responsible for the work and payment related to work within Access Easement C.
2. It is recommended that the documents require notification to Tisbury and Sheriff's Meadow when any maintenance on the roadway will impede access to their sites.
3. The document does not set any timeline for work to be completed and is very generic in the interval for detailed inspections.
4. The "mowing and maintenance of plants" should also specify the replacement of any dead or dying plants with a similar plant. Maintenance of plants should specifically require the pruning of trees and shrubs including the removal of any diseased or damaged branches.
5. Plan does not address maintenance of the fences, lighting or irrigation system at the entrance and along Access Easement C.
6. "Pot hole patching and crack sealing" should be specified for spring and fall.
7. Plan should specify the re-seeding/re-planting/stabilization of landscaped areas at a minimum each spring.

2b. EAB Stormwater O&M

1. The O&M should be written for a layperson, particularly in the describing the criteria for evaluating whether the structure is operating as intended or if the system is in failure (specifically the Infiltration Basin and Subsurface Infiltration System).
2. The Infiltration Basin should include the requirements to stabilize all tributary surfaces to the basin, including the side slopes to the basin.
3. It is recommended that this O&M be accompanied by a site plan, clearly identifying the components of the drainage system.
4. This O&M does not address the roof drains. Gutter cleaning will be critical to keep organic materials from being washed into the roof collection and infiltration system.
5. It is recommended that the foundation drain system be shown on the plan and that the O&M for this system be included in the Stormwater O&M as it is critical for keeping basements dry.
6. As this O&M will be given to the Condominium Association, it is recommended that the illicit discharge statement be included with an explanation in layman's terms about the prohibition of dumping hazardous materials or chemicals into the drainage system or foundation drain system.

2c. EAB SDS O&M

1. This is regulated by the BOH requirements. However, it is recommended that the emergency contact phone number be posted by the control panel/alarms.
2. It is suggested that the Limitations as to Flows be included in the Condominium Rules and Regulations as these items can be detrimental to the function and longevity of the system.

2d. EAB Draft PWS O&M - regulated by DEP

2b. EAB Landscape Maintenance Guide

1. The Guide should address the storage, use and disposal of any fertilizers, pesticides or herbicides on the site.
2. Integrated Pest Management (IPM) should be required.
3. Plan should clearly address the disposal of yard waste and prohibit the disposal into wetlands, drainage features or along the wood lines.

Please contact this office should you have any questions regarding these comments or the project in general.

Thank you.

Very truly yours,
Places Associates, Inc.

BY: 

Susan E. Carter, P.E., LEED AP
Director of Engineering, President



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]

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Meeting Minutes September 21, 2020 7:00 PM Remote Meeting

6 **Members Present:** Cindy Markowitz, Mark White, Mark Barbadoro, Rebecca Verner, and
7 Rebecca Lazarow

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

10 **Also present from the Enclave Team:** Shawn Nuckolls, David Buckley, and Greg Roy

11
12 Several members of the public were also present.

13
14 Ms. Markowitz called the meeting to order at 7:02 PM.

15 **Public Comment**

16 Cathy Biron, 539 Burroughs Road, stated that she is very happy with the recent trees that were
17 planted today. She stated that she recently had a friendly conversation with Jim Fenton and is
18 elated that the Green Giant arborvitaes were planted today. She explained that Mr. Fenton also
19 came by to move the oak stumps that had fallen in front of the house. She does have a concern
20 about the watering of these trees and if they will be included on an updated landscaping plan.

21 In response to a question from Ms. Markowitz, Shawn Nuckolls stated that he is aware that the
22 plantings were made, but isn't sure of the details or if these plantings are shown on the plans in
23 this exact location.

24 Greg Roy stated that these plantings will be included on a sketch for the Town's benefit.

25 Ms. Markowitz stated that, as these plantings were not brought to the Board ahead of time, these
26 will need to be shown on a landscape drawing and formalized.

27 In response to a question from Rebecca Verner, Mr. Nuckolls stated that he is not prepared to
28 speak to this item tonight. He is aware that these plantings were drawn in the plan on the bottom
29 of the slope, but were instead planted at the top of the slope. He doesn't believe these plantings
30 are in addition to others shown, but possibly just plantings relocated to this spot. He was unaware
31 that Mr. Fenton was going to plant these trees.

32 Ms. Markowitz asked that the team communicate with Mr. Fenton and come back with an update
33 on these plantings.

34 Review Decisions

35 700, 750, & 800 Massachusetts Avenue Site Plan Modification #2

36

37 Ms. Markowitz explained that counsel has made a couple of tweaks to the draft modification
38 decision. This decision reflects the clubhouse design that the Board approved. This will
39 memorialize the design. The modifications to the site plan include a slightly larger clubhouse but
40 an overall reduction in impervious area (from 12,000sqft to 8,600sqft).

41

42 The Board reviewed the final document with the proposed changes.

43

44 Mr. Barbadoro moved to authorize the Chair or Clerk to sign the Site Plan Modification #2
45 decision, as amended. Ms. Verner seconded. Motion passed unanimously 5-0.

46

47 Approval Not Required (ANR) Review

48 700, 750, & 800 Massachusetts Avenue

49 Mr. Roy explained that the primary change on this is to accommodate the Department of
50 Environmental Protection Drinking Water Division suggestion that the Zone 1 Radii for the
51 proposed wells must be conveyed and owned by the ultimate end user of the facility, which is to
52 be the Enclave at Boxborough Homeowners Association. Thus, the revised ANR plan expands
53 what was previously shown as "Parcel A" (now entitled "Parcel A1" to avoid confusion) to
54 include the entire zone 1 radii from both wells. Lots 2 and 3 have been reduced in size
55 accordingly.

56

57 Ms. Markowitz stated that a letter from Sue Carter, dated September 17, 2020, notes that this
58 ANR appears to have all of the appropriate requirements.

59

60 Ms. Carter stated that the ANR is consistent with what Mr. Roy just described. The proposal
61 does not create a new frontage lot.

62

63 In response to a question from Mr. Barbadoro, Mr. Nuckolls stated that Lot 1 and Parcel A1 will
64 be conveyed to the condo association, the other lots will be retained by the current owners.

65

66 In response to a comment from Ms. Markowitz, Mr. Roy explained that the front page of the plan
67 set shows Lot 1, 2, and 3, and an access easement to the wells. The original intent was to convey
68 the land through an easement. Ms. Markowitz noted that this land may not have been calculated
69 in the total land area. Mr. Roy stated that the land now included on the plan is land-locked, with
70 no frontage, and is not a building lot.

71

72 Ms. Carter explained that this modification is not changing the frontage situation, and so is not
73 creating a non-conforming parcel. This was all discussed during the public hearing. This decision
74 simply formalized the various Board discussions during the permitting process.

75

76 Mr. Roy stated that none of the proposed infrastructure has been changed from the plans. The
77 wells are still proposed to be in the same place and the water connection to the development is
78 the same. The only change is the rights being conveyed to the condo association through
79 conveyance of land, instead of an easement. He believes that this will actually improve the
80 metrics, based on the increased land area.

81
82 In response to a question from Ms. Markowitz, Mr. Roy stated that the access to the wells from
83 Massachusetts Avenue is still through an easement and that won't change.

84
85 Mr. Barbadoro moved that the Planning Board endorse the ANR Plan, as approval not required
86 under the rules of subdivision control law, and that the Clerk or Board Chair sign the Plan. Mr.
87 White seconded. Motion passed unanimously, 4-0 (Ms. Verner had exited the meeting for a short
88 period at this time).

89
90 7:30 Public Hearing – Continued from August 31, 2020
91 700, 750, & 800 Massachusetts Avenue – Scenic Road, Public Shade Tree, and Stone Wall
92 Application

93
94 Ms. Markowitz read the legal notice.

95
96 In response to a question from Robin Lazarow, Mr. Nuckolls stated that, per the special permit,
97 the proposed sidewalk is required to be completed prior to the 10th certificate of occupancy. If
98 approved, the plan is to start construction right away, for completion hopefully in 2020, or in
99 early 2021.

100
101 Mr. White stated that the question is whether the Town wants the sidewalk or not. If not, does
102 the Town want money in lieu of the sidewalk. If it does want money in lieu, is the proposed
103 amount sufficient. He stated that the letters received and discussions heard from residents, seem
104 to indicate that the sidewalk is not desired, especially not on the side of the road it's being
105 proposed on.

106
107 Mr. Barbadoro noted that, per the response from Ducharme & Dillis, the applicant is not
108 amenable to building the sidewalk on the other side of the road. He agreed that he would prefer
109 the sidewalk be built on the other side of the street, as mentioned by some residents. He
110 mentioned that Tisbury Meadows residents have also expressed disinterest on having the
111 sidewalk on their property. He believes, after speaking with the DPW Director, that the amount
112 proposed in lieu of is adequate.

113
114 Ms. Markowitz explained that the applicant has offered \$35,000 in lieu of building the sidewalk.
115 PLACES Associates has noted a possible adequate offer might be closer to \$46,000.

116
117 In response to a question from Ms. Lazarow, Ed Kukkula, DPW Director, stated that the
118 maintenance costs for a proposed sidewalk would be minor for the first few years. The largest
119 cost will be in plowing the sidewalk. It costs about \$100/hour to plow, with a projection of 20-25

120 hours a winter for plowable storms. In the summer, the main costs would be to cut brush to keep
121 the sidewalk accessible.

122

123 In response to a question from Ms. Markowitz, Simon Corson stated that, if the Board accepts
124 the payment in lieu of the sidewalk, the Board could speak with the ~~town attorney~~town
125 accountant regarding placing the money into a fund to be used on other projects in Town.

126

127 Mr. Roy noted that, if the Board accepts the payment in lieu of, he believes that the scenic road
128 permit will need to be withdrawn, and a site plan modification will be required with approval to
129 modify a condition (the sidewalk). Mr. Corson agreed that this would require a Site Plan
130 Modification #3

131

132 Ms. Markowitz mentioned that the Complete Streets Committee completed a Prioritization of
133 Sidewalks and ~~Infrastructure~~Infrastructure in 2018. A sidewalk along Stow Road was listed as
134 item 7 out of 20 on that list.

135

136 In response to a question from Ms. Markowitz, Mr. Roy explained that Mr. Fenton believes the
137 cost to him to build the sidewalk would be about \$25,000. He is offering the \$35,000 because he
138 believes it would cost the Town a bit more than it would cost him to build it.

139

140 Mr. Roy stated that he would like the Board to take a straw vote on the payment in lieu of item
141 before he withdraws the Scenic Road Permit request and proceeds with the Site Plan
142 Modification #3.

143

144 Ms. Lazarow stated that she would prefer the payment in lieu of, and is not inclined to make a
145 decision about earmarking the funds to be used to construct a sidewalk across the street from the
146 proposed sidewalk.

147

148 Mr. Barbadoro agreed; he also noted that the DPW Director has mentioned not being fond of
149 maintaining an asphalt sidewalk on that side of the street. Mr. Barbadoro stated that he believes
150 the payment in lieu of may have adequate funding to create a concrete sidewalk. He would rather
151 see a proper sidewalk created, even if it is a shorter length.

152

153 Ms. Verner stated that she would prefer a payment in lieu of, and is not comfortable allocating
154 where those funds will be used.

155

156 Mr. White stated that he would prefer a payment in lieu of, and is not comfortable designating
157 where those funds will be used.

158

159 Ms. Markowitz stated she would prefer a payment in lieu of, and is not comfortable designating
160 where those funds will be used.

161

162 The straw vote was unanimous, 5-0.

163

164 Ms. Lazarow moved to continue the 700, 750, & 800 Massachusetts Avenue – Scenic Road,
165 Public Shade Tree, and Stone Wall Application to October 5, 2020 at 7:30pm via Zoom. Ms.
166 Verner seconded. Motion passed unanimously, 5-0.

167 7:40 Public Hearing – 1172 Hill Road

168 Scenic Road, Public Shade Tree, and Stone Wall Application

169 Ms. Markowitz read the legal notice. She explained that the applicant has requested a
170 continuance to October 5, 2020.

171 Mr. White moved to continue this public hearing for 1172 Hill Road: Scenic Road, Public Shade
172 Tree, and Stone Wall Application to October 5, 2020, at 8pm via Zoom. Ms. Lazarow seconded.
173 Motion passed unanimously, 5-0.

174 **Administrative Business:**

175 Meeting Minutes

176 Ms. Lazarow moved to approve the meeting minutes of August 31, 2020, as amended. Mr. White
177 seconded. Motion passed unanimously, 5-0.

178 Correspondence and New Business (if any)

179 Ms. Markowitz stated that the Board received correspondence from Keith and Magdalena Lyons,
180 591 Burroughs Road.

181 Town Center/Enclave Project

182

183 Mr. Corson stated that the current site work includes stockpiling, the building pad, and entryway
184 paving. Post-paving, there is an increase in runoff expected, so the contractor plans to utilize
185 berms to aid in sediment control.

186

187 In response to a question from Ms. Markowitz, Mr. Corson explained that the sediment controls
188 are small tweaks to the site plans. The final paving will occur after winter.

189

190 In response to a question from Ms. Lazarow, Mr. Corson stated that he would consult with Bill
191 Murray, of PLACES Associates, to discuss the Giant Green arborvitaes that were planted at the
192 top of the berm, as previously discussed. He explained that Mr. Roy and Mr. Nuckolls noted that
193 this was a spur of the moment planting and so must be further followed up on. There will need to
194 also be a discussion regarding irrigation for these plantings.

195

196 Ms. Markowitz asked the Board their thoughts on the fence along the access road. The Board
197 previously discussed that this was not built as it was shown in the drawings.

198

199 Mr. Barbadoro stated that he believes the fence looks okay, but if it isn't consistent with what the
200 Design Review Board recommended then there may be an issue. He stated that he would like to
201 see something from the Design Review Board to say that a change is warranted.
202

203 Ms. Verner stated that the Design Review Board submitted a response regarding the fence to the
204 Planning Board that highlights their concerns. She explained that the Design Review Board was
205 provided with a precedent image prior to construction, but not a detailed image. This precedent
206 image was reviewed and approved, but what was constructed was different from the image.
207

208 Mr. Corson noted that a resolution on this already built fence is up to the Building Inspector. He
209 is unsure if the Building Inspector has reviewed this item yet.
210

211 Mr. Barbadoro noted that this appears to be a Zoning issue. He would like to see something that
212 says that the constructed fence is inconsistent with the decision of the Design Review Board.
213

214 Ms. Verner showed the Board the correspondence the Design Review Board had regarding their
215 concerns with the design of the fence. She showed a picture of the fence that was proposed to be
216 built. The Design Review Board originally suggested a change of materials to natural wood, and
217 then approved the fence based on the precedent image.
218

219 Mr. Barbadoro stated that the fence was clearly not built as presented in the ~~precedent~~ precedent
220 image. He suggested that this be broached with Mr. Nuckolls at the next meeting.
221

222 Zoning Bylaw Audit

223
224 Mr. Corson stated that this audit is in Phase I, with a review of the existing bylaw. He believes
225 that the audit will be into Phase II by the next Board meeting. During this phase, Town Staff and
226 Planning Board members will be interviewed. The audit's end date is the end of November.
227

228 Planning Board Training – nothing to report

229 230 Solar Bylaw Technical Assistance Program

231
232 Mr. Corson stated that this has been submitted and will be reviewed on a rolling basis. There is
233 no timeframe as to when the Town will hear back on it.
234

235 Ms. Verner stated that Solar Bylaws from surrounding towns have been pulled together for
236 review. The results will be reviewed with the Board at its October 19, 2020, meeting.
237

238 Planning Board Rules & Regulations

239
240 Mr. Corson stated that he will use the Town of Shirley Rules and Regulations document and
241 adapt it for the Town of Boxborough.
242

243 Municipal Vulnerability Preparedness Project Grant:

244 Mr. Corson stated that this grant is a good preparation for the MVP Action Grant. The final
245 component to this grant is a community-wide workshop. It is important right now to encourage
246 the public to attend the UMASS Committee feedback session: this Thursday, and October 3rd,
247 which is why this community-wide workshop is being held off on for now. He is trying to put
248 space between these two workshops and the grant workshop.

249

250 Housing Choice Administrative Bill

251

252 There has been no activity on this in State legislation. This is an item for the Board to consider in
253 the future.

254

255 Memorandum of Understanding (MOU) with Select Board

256

257 Mr. White and Mr. Barbadoro will have a meeting on this topic tomorrow night.

258

259 MassDevelopment Technical Assistance Grant

260

261 In response to a question from Mr. Barbadoro, Mr. Corson stated that the purpose of the budget
262 being sought by this grant is for a market study for the CISCO Campus. It will examine the uses
263 desired along the Route 495 ~~corridor~~ corridor, in order to compliment the work done by the
264 UMASS study. If this grant is awarded to the Town, it will be managed by the Town
265 Administrator's Office.

266

267 Mr. Barbadoro stated that the Economic Development Committee and the Planning Board had no
268 interest in pursuing this grant.

269

270 Mr. White stated that he would like to know the outcome of the UMASS study before pursuing
271 this grant.

272

273 Ms. Markowitz stated that this grant feels duplicative, as the UMASS study was supposed to be a
274 market study.

275

276 Mr. Barbadoro addressed a statement in the grant application from Town Administrator Ryan
277 Ferrara. He stated that he believes there is a communication problem between the Town
278 Administrator and the Planning Board. He doesn't believe Mr. Ferrara asked the Planning Board
279 if it was ready to work on the Master Plan.

280

281 Mr. White suggested that this be brought up during the meeting with the Select Board tomorrow
282 night.

283

284 **Committee Reports:**

285 Community Preservation Committee

286

287 Ms. Lazarow stated that this group met on September 3, 2020. It approved a contribution to a
288 State fund. They discussed some anticipated projects, including: Conservation Commission,

289 Recreation Committee – Liberty Field improvements, BRAP: Housing Assistance Rental
290 Program, and the Housing Trust Fund.

291
292 In response to a question from Ms. Markowitz, Ms. Lazarow stated that she would ask if the
293 Planning Board has ever requested funds.

294
295 Design Review Board - nothing to report.

296
297 Economic Development Committee

298
299 Mr. White stated that this group will meet tomorrow night. The UMASS Committee feedback
300 sessions will happen this Thursday at 6pm, and October 3rd at 9:30am. Interested parties can sign
301 up for these sessions online.

302
303 MAGIC Representative

304
305 Ms. Markowitz stated that, at the last meeting, the group voted for their officers and discussed
306 special assessment funding of about \$21,000 to support towns during the pandemic. A survey has
307 been sent out to discuss how to spend these funds. The group also sent a survey about CPCT
308 training.

309
310 Water Resources – nothing to report

311
312 LELWD Small Cell Committee

313
314 Ms. Markowitz stated she met with Dave Cheston from Littleton Electric. If there are any
315 comments about the guidelines from Dave, the Board is still able to comment on them. The
316 Board also needs to discuss if they need a general bylaw, regarding small cell facilities within the
317 public rights of way that are not on Littleton Electric poles, and/or a zoning bylaw, to address
318 aesthetics of facilities also within the public right of way. The advice from KP Law, is that the
319 Town consider a general bylaw and a zoning change to approve these under Limited Site Plan
320 Review. KP Law can work to draft both of these items for the Board.

321
322 **Planning Board Goals:**
323 Funding – TAP Grants and Other Grant Opportunities

324
325 Ms. Markowitz stated that the Board can form a working group for planning on these grants. She
326 will look for potential other funding sources.

327
328 Master Plan Action Items Status – Aspirations 4, 5, 6, and 7
329 • November 9, 2020 Joint Meeting with Select Board

330
331 Mr. Corson stated that he will send out an email to the Boards/Committees on this. Ms.
332 Markowitz stated that the Planning Board should also take a look at which items it is the lead on.

333

334 Mr. White moved to adjourn. Seconded by Mr. Barbadoro. Motion passed unanimously 5-0 at
335 9:24 PM.

336

337

338 Meeting Documents

339 Meeting Minutes August 31, 2020

340

341 Ducharme & Dillis – Memo & Revised ANR Plan – September 17, 2020

342

343 SITE PLAN APPROVAL MODIFICATION #2 BOXBOROUGH TOWN CENTER, LLC

344 700, 750, & 800 Massachusetts Avenue – September 15, 2020

345

346 Littleton Electric Light Department - Technical and Aesthetic Standards for Small Cell Siting
347 document

348

349 Town Administrator Ferrara memo to MassDevelopment re: Subject: Support for Real Estate
350 Technical Assistance Program – August 28, 2020

351

- Including: Eligibility requirements and the MassDevelopment Technical Assistance FY21 Proposal

352

353

354 Town of Shirley, Planning Board Rules & Regulations – Final Draft July 24, 2019

355

356 Ducharme & Dillis – Memo re: Response to Planning Board Memorandum & Tisbury Meadow
357 Condominium Association, Enclave at Boxborough, Boxborough, MA – September 17, 2020

358

359 PLACES Associates Memo re: Enclave Review ANR Plan – September 17, 2020

360

361 Correspondence from Keith & Magdalena Lyons

362

363 Hancock Associates Memo re: 1172 Hill Road Scenic Road Permit, Public Shade Tree Removal
364 & Stone Wall Removal or Alteration Application – August 14, 2020

365

366 Stone Wall Removal or Alteration Application – 1172 Hill Road

367

368 Scenic Road Requirements document

369

370 Request for Abutters – 1172 Hill Road

371

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

374

375 Hancock Associates Memo re: 1172 Hill Road, Boxborough, MA Planning Board Meeting
376 Continuance - September 21, 2020

377

378 PLACES Associates Memo re: Sidewalk payment in lieu of construction – Enclave Stow Road
379 Sidewalk, Project No. 5249 – September 21, 2020

380

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

382

383 Zoom Access Protocols

384 Join Zoom Meeting <https://us02web.zoom.us/j/84433770468>

385 Meeting ID: 844 3377 0468

386 One tap mobile

387 +13017158592,,84433770468# US (Germantown) +13126266799,,84433770468# US (Chicago)