



**TOWN OF BOXBOROUGH
PLANNING BOARD**

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Cindy Markowitz, Chair Mark White, Clerk Nancy Fillmore Abby Reip Rebecca Verner

Approved on March 9, 2020

**Meeting Minutes
January 27, 2020
7:00PM**

Grange Room - Town Hall, 29 Middle Road

Members Present: Cindy Markowitz, Mark White, Nancy Fillmore, Rebecca Verner

Also Present: Simon Corson (Town Planner)

Not Present: Abby Reip

Ms. Markowitz called the meeting to order at 7:01PM.

Public Comment

Ms. Markowitz provided time for public comment. There were no comments from members of the community.

Meeting Minutes

Mr. White motioned to approve the January 6, 2020 meeting minutes as amended. Seconded by Ms. Verner. Approved unanimously, 4-0.

Correspondence

Ms. Markowitz shared that the Board received a letter from the Littleton Planning Board: Counterpoint to Town of Needham's Letter (2019) regarding MA House Bill 3507.

Zoning Bylaw Audit

Mr. Corson reported that there is no update. He is currently working toward releasing a scope and obtaining bids for the project.

Town Center/Enclave Update

Mr. Corson reported that the work at the site had slowed down due to the weather, however the sewer run, manholes, and utilities installation will continue during the winter months. He also noted that he will be working more aggressively to obtain the revised landscape plan.

Training Discussion

Ms. Markowitz discussed opportunities for the Board and members of the community to receive training related to town planning. She noted that Mr. Corson shared information about the annual Citizen Planner Training Collaborative Conference (March 21, 2020). She noted that she attended the Conference the previous year and found the workshops very useful. She will provide further updates on the scheduled workshops when they are published online.

Ms. Markowitz shared that she has discussed creating a resource library with Mr. Corson. Once the new Town website has been completed, this will be a space where documents will be stored making

them easily accessible. In addition, there was discussion about creating a Planning Board Handbook. This would be a resource for new Board members and the public to understand the processes and procedures which are regularly used by the Board.

Committee Reports

Community Preservation Committee (Reip) – Not present, no report.

Design Review Board (Verner) – Nothing new to report.

Economic Development Committee (White) – Updates of the UMass Study will be provided later during the meeting.

MAGIC Representative (Markowitz) – The January 9 meeting reviewed how the region is addressing long-range planning for housing choice and transportation matters.

Water Resources (Fillmore) – Next scheduled meeting is Wednesday, January 29.

Boxborough Building Committee (Reip) – Ms. Reip not present. Ms. Markowitz noted that the Select Board is disbanding the committee now that a site has been selected for a fire/public safety building and create a new Building Committee with a new charge focusing on building construction.

LELWD Small Cell Committee (Markowitz) – Nothing new to report.

Follow Up to Joint Select Board & Planning Board Master Plan Implementation Update Meeting

Ms. Markowitz reported that the minutes will provide a clear summary of the updates for Aspirations 1, 2, and 3. She also noted that the meeting was recorded and can be viewed on the Town website. The next meeting, planned to occur in June will review the update for Aspirations 4, 5, 6, and 7. She explained that the intent of the Joint Board Master Plan Implementation Update meetings is to drive discussion and create the opportunity to understand what other boards, committees, and commissions are working on.

UMass Study Report

Rich Guzzardi, Economic Development Committee (EDC)

Mr. Guzzardi provided an update on the UMass Study Phase II and shared that the Statement of Work will be completed soon.

Phase II Areas of Focus:

1. Community charette to get community feedback on the different development scenarios;
2. Analysis of long-term economic trends in the greater Boston and regional Interstate 495 markets;
3. Physical constraints (transportation, infrastructure, land, title, ownership) of identified areas within the community;
4. Comparative performance of the preferred development scenarios;

Mr. Guzzardi shared that the Water Resources Committee, Planning Board, Finance Committee, and Board of Health are being represented in discussions with the EDC. The first item that will be undertaken as part of Phase II is the community charette. The EDC was considering breaking it into two segments to promote greater participation. The goal was to complete it by the end of March.

Ms. Markowitz supported having more than one charrette. She believed that it would allow for continuity of the discussion and stimulate engagement from the community.

Mr. Guzzardi noted that a second survey was launched to gather community feedback.

Mr. White asked if the second charette could be extended out to April to allow the community more time to share input. He emphasized that the input is valuable it should not be rushed.

Administrative Business

Ms. Markowitz motioned to allow the Planning Board Chair to sign future site plan decisions before a notary. Second by Ms. Verner. Discussion: Mr. White asked if this was a blanket approval for the Chair to sign any documents on behalf of the Board. Response clarified that the motion was only specific to site plan approval. Ms. Verner suggested this motion should be made to the specific site plan identified. Response was that under administrative business, this should apply as good practice. Motion passed, 3-0-1 (Abstention, Mr. White).

Zoning Bylaw Amendments

Ms. Markowitz announced that there will be a public hearing on Monday February 3, 2020 on the proposed General and Zoning Bylaw Amendments and Citizen's Petition. This meeting is a working session for the Board to discuss the Amendments.

1. Stormwater General Bylaw Amendment – *Nick Cristofori, Comprehensive Environmental, Inc. (CEI)*

Mr. Cristofori gave a presentation on Boxborough's NPDES Stormwater Program, the Federal changes to Environmental Protection Agency (EPA) Regulations, and the applicable effects.

Ms. Markowitz noted that most of the process is already required through a comprehensive general permit. She clarified that the new process would require an applicant to file for a stormwater permit through the Town.

Mr. White asked what the difference is since requirements already exist at the Federal level. Response is that EPA does not strongly police this and having the requirement at a local level will reinforce the it.

Ms. Markowitz asked what the Planning Board's role would be in the proposed change. Response is that this is up to the Town, but typically the Planning Board is the regulating authority.

Mr. White asked how many neighboring communities have already adopted this bylaw or one similar. Response is that this is unknown, but the goal would be to bring the bylaw to Annual Town Meeting in May. The EPA deadline is June 2021.

2. Parking/Café – *Rich Guzzardi, Economic Development Committee (EDC)*

Mr. Guzzardi reported that the community has been clear on a desire to maximize the use of existing spaces to the greatest extent possible. There is a strong desire for a café/eat-in/take-out establishment in Town. The bylaw attempts to address both points of the Town's desires.

Parking: Current bylaw is overly restrictive for specific types of parking such as banks, libraries, and retail operations. For common area parking, it is suggested that the Planning Board should have more discretion over times and types uses for common parking.

Café: Community feedback points toward the desire for a café in Town. The bylaw includes the definition of “Specialty Food Shop” in order to create a clear understanding for requirements and what the Town desires. The proposed bylaw amendment included a proposed use table for each zoning district based on floor area square footage limits.

3. Noise – *Mark White, Planning Board*

Mr. White explained that enforcement of noise requirements is currently unclear as to who is in charge of performing testing. The current bylaw is ineffective and unenforceable. He provided the example that the former Town Planner would interpret the bylaw in very a literal way, which the Building Inspector agreed with. The current enforcer is the Town Building Inspector. Mr. White shared that he worked to develop a draft based on the Towns of Littleton’s and Stow’s bylaws. The Town Planner noted that Stow reported that it has had issues with its bylaw and Littleton noted that its bylaw has had few problems. Mr. White also noted that there are already state-determined minimums (MASS DEP Noise Policy states no increase greater than 10 dB(A) above ambient). It may be advantageous to align the bylaw with the initial requirement and then use that as the base for the bylaw. The proposed bylaw amendment also addresses noise in districts beyond the Industrial-Commercial District where it currently only applies.

Ms. Markowitz asked if there could be a part added to the existing bylaw in order to address temporary (less than 60 minutes) noise limits. She suggested that the current draft may be complicated, but that it should be brought to the Public Hearing to gather input from community members.

4. Lighting – *Rebecca Verner, Planning Board*

Ms. Verner explained the purpose of the proposed amendments are to include useful definitions and information around allowable lighting. Additions cover topics such as preventing glare, sign illumination, and regulations and requirements for special permits. She noted that the additional section was provided to maintain updated definitions for commonly used verbiage. The tables with visuals include directions for light fixtures and strategies to control light pollution.

Mr. White asked if this would address what the school was seeking, as it was unable to adjust its signage based on the current bylaws. He shared that it is worth bringing to the Town to collect input.

Ms. Markowitz asked if “dark sky” is included and defined in the bylaw. Response is that it is not defined, but a note has been made to include the definition in the proposal.

5. Solar – *Nancy Fillmore, Planning Board*

Ms. Fillmore shared that she reviewed the Sustainability Committee’s recommendations and that Mr. Corson reviewed and obtained input from the Town of Acton’s bylaw. She noted the importance of adding the proposed definitions.

Mr. White cited the importance of the protection of forested lands within the draft. He was interested in hearing the Town input related to this.

Ms. Verner cited the importance of the water management and conservation portions of the draft bylaw. She asked if the same standards could be applied to both residential and commercial districts.

Ms. Markowitz cited a missing definition for “Ground Mounted Individual”. She noted that this could use clarification and should be included in the use table.

Ms. Markowitz proposed that the Board should spend more time on this bylaw, as many components could benefit from further discussion. She noted that MAPC could be re-engaged to support this review.

Mr. Corson shared that the Town of Acton has a relatively restrictive bylaw that prohibits almost all ground mounted solar installations.

Mr. White offered that ground mounted solar should not be outrightly banned. Rather, he suggested that there should just be restrictions on commercial installations.

There was interest by the Board to hear input from the Sustainability Committee.

Ms. Markowitz asked about the timeline for the review and final submission for this bylaw. She suggested that it may require more discussion that time allows based on the given deadlines. She clarified that the general agreement is to bring the bylaw to the public hearing.

Mr. White motioned to adjourn at 9:17PM. Seconded by Ms. Fillmore. Approved unanimously, 4-0.

Meeting Documents & Exhibits

Affordable Housing Correspondence (3)

Construction and Post-Construction Stormwater General Bylaw – Draft

CPTC Conference Flyer

Lighting Proposed Zoning Bylaw Amendment – Draft

Noise Proposed Zoning Bylaw Amendment – Draft

Parking, Café Proposed Zoning Bylaw Amendment – Draft

Schmitt – Laboratory Prohibition Warrant Article Form

Solar Proposed Zoning Bylaw Amendment – Draft