



TOWN OF BOXBOROUGH

Planning Board

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Mark Barbadoro, Chair • Cindy Markowitz, Clerk • Mark White • Rebecca Verner • Kathleen Vorce

APPROVED ON March 20, 2023

Meeting Minutes February 27, 2023 7:00 PM Remote Meeting

Members Present: Mark Barbadoro (Chair), Cindy Markowitz (Clerk), Rebecca Verner, Kathy Vorce

Staff Present: Alec Wade, Town Planner; Sue Carter, PLACES Associates

Chair Barbadoro called the meeting to order at 7:01 PM with a roll call attendance.

Chair Barbadoro asked Sue Carter for an update on the Enclave project. Ms. Carter noted that she has not been out lately due to the cold weather but will plan to visit soon.

In response to a question from Chair Barbadoro, Mr. Wade explained that the intention is to implement the first grant schedule for the Town this year. For 2024, he is exploring the option of the Town's first Housing Choice Capital Grant Program. The goal of Housing Choice Communities is to demonstrate new growth over a five-year period. Once designated, a Town gets exclusive access to a capital grant program every other year.

Cindy Markowitz entered the meeting.

Public Comment

None at this time.

PUBLIC HEARING (cont.) – In accordance with MGL Chapter 40A and Boxborough Zoning Bylaw 8000 Site Plan Approval, the Boxborough Planning Board will conduct a public hearing on Monday Dec. 12, 2022, continued to February 27, 2023 at 7:05 PM to review the application submitted by Stamski and McNary, Inc. on behalf of the Applicant, Concord Property Management, Inc. The property owners, This Isn't Camp, LLC and Concord 60 Codman LLC, seek to raze a nonconforming office building and construct a new industrial building. The subject property is located in the Industrial / Commercial Zoning District at 60 Codman Hill Road and is identified as Assessor's Parcel 12-004-000.

Chair Barbadoro opened the continuation of this public hearing.

Vincent Cannistraro stated that the applicant has decided to simplify this project and modify the existing structure. He withdrew the existing application and thanked the Board for all of its work.

Chair Barbadoro stated that the applicant has decided to work within the existing footprint and shell of the building. There will be no increase in parking or trucking. It was determined that a site plan review for the internal modifications of the building is not necessary. A special permit was granted by the ZBA to modify the change of use of the building.

Ms. Markowitz explained that this new proposal looks to reduce approximately 180 s.f. of impervious through removal of a couple of concrete pads. She asked if the applicant would consider a reduction in the number of parking spaces on site and an increase in pervious surface. Mr. Cannistraro stated that there is an issue regarding time for the project.

Chair Barbadoro suggested that the Board consider amending its bylaws to allow for expedited reviews for applicants who are looking to reduce parking spaces or impervious surfaces on a site.

Ms. Vorce moved to allow the 60 Codman Hill Road project to withdraw without prejudice. Mr. White seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; Vorce – aye; and Markowitz – aye.

Motion passed 5-0-0.

PUBLIC HEARING (cont.) – Applications under Boxborough Zoning Bylaw Section 6105 Special Permit Private/Common Driveways in the Office Park District, 8000 Site Plan Approval, and 9200 Special Permits; and the Site Plan Approval Rules & Regulations for Site Plan Approval & Special Permit submitted by Boxborough Adams Realty Trust to construct a 140,000sf Office/Research & Development/Light Manufacturing facility. Subject property is located in the Office Park District at 244 Adams Place and is identified as Assessor's Parcel #s 12-025-000.

Chair Barbadoro opened the continuation of this public hearing. He noted that Mr. White can sit on the Board for this hearing, even though he missed a past meeting, because he reviewed the missed meeting via video recording.

Israel Lopez, The Gutierrez Company, stated that there has not yet been an opportunity to address the comments last submitted to the applicant. He noted that he spoke with Sue Carter, PLACES Associates, regarding setting up a meeting to review her comments.

Ms. Carter reviewed her comments. She stated that she has concerns regarding the constructability of the site. She is also concerned regarding the details of the phasing plan. She noted that the applicant has proposed stump grindings for erosion control on the site, but she questioned where these will be stored during other phases. She noted that the blasting proposes 154,000 cubic yards of material on site, and she would like more details regarding this item. She stated that she would like the applicant to initiate discussions with the Board of Health, as much of the site is within Zone 2 of nearby wells. This is a single access site, and she is concerned regarding the Fire Department's comments. There could be a connection with 1414 Massachusetts Avenue considered. She would like additional details regarding the retaining

walls proposed. A geotechnical engineer could also review these walls and the stormwater recharge upgradient of the walls.

Mr. White noted that the applicant requested a continuance at the beginning of this hearing. The courteous thing to do would be to continue this hearing. Chair Barbadoro stated that the Board did not know a continuance would be requested but did ask Ms. Carter to be here to give testimony on this item.

Ms. Markowitz asked if staff has pursued a scope of work for geotechnical and/or hydrogeological consultants. Mr. Wade stated that two consultants, one currently under special contract with Mass DEP, are being considered. A final scope of work will be given to both consultants for quotes. These will be forwarded to the applicant for approval.

Ms. Markowitz noted that, in addition to all of the engineering comments, the Board also provided a long list of questions and concerns at the last hearing.

Mr. Lopez stated that the applicant can address many or all of the technical questions raised. He asked about the scope of the project itself and the Board's support of the proposal. He stated that the proposed project meets the FAR requirements. He would like guidance as to how best to refine the plans and gain the Board's support.

Chair Barbadoro stated that the Board previously told the applicant that it did not believe the project looked very good on this site. It is a massive structure that will be seen from the highway and hotel. This building is in excess of the bylaw's allowance for height. He stated that he believes it exceeds the FAR requirements. It proposes 20' retaining walls and flex space is not a use that the Master Plan calls for in this area. This is not a proposal that he believes is in the best interest of Boxborough. Something else could potentially be developed on this site, but he would like the applicant to allow the Board to adjust the property setbacks through an open space subdivision to protect some of the existing wildlife. There could be a potential sharing agreement considered with the hotel in terms of parking. Other solutions that are not as damaging to the environment could be considered.

Ms. Markowitz concurred with Chair Barbadoro's remarks. This project feels very impactful to the environment. She would like the applicant to consider a relook at this project.

Ms. Verner agreed that this seems to be an insensitive project for this site.

Ms. Vorce stated that she believes this project will torture the property. Just because something can be engineered on a site does not mean it should be.

Mr. White moved to continue this hearing to 7:05pm on March 20, 2023. Ms. Vorce seconded. Roll call: Barbadoro – aye; Verner – aye; White – aye; Vorce – aye; and Markowitz – aye. Motion passed 5-0-0.

PUBLIC HEARING (cont.) – To consider the application under 8000 Site Plan Approval submitted by Stamski and McNary, Inc. on behalf of the property owner, French Brothers Boxborough, LLC to construct a 3-unit trade shop building. The subject property is located in the Industrial / Commercial Zoning District at 100 Codman Hill Road and is identified as Assessor's Parcel #s 12- 035-000.

Mr. White moved to continue this hearing to 7:10pm on March 20, 2023. Ms. Vorce seconded. Roll call: Barbadoro – aye; Verner – aye; White – aye; Vorce – aye; and Markowitz – aye. Motion passed 5-0-0.

General Business

Department Updates – by Alexander Wade, Director/Town Planner

- Presentation to Finance Committee

Mr. Wade explained that a list prioritizing violations was created. The goal is to catch items before they become violations.

Mr. Wade stated that last week Building 500 of the Beaver Brook campus was issued a special permit to operate a restaurant out of the existing footprint of the cafeteria. This was the first example of expedited permitting, in which the project is specifically referenced in different planning documents across the Town from the Master Plan. The applicant participated in a predevelopment meeting and the Planning Board would typically have that as an agenda item to review. He stated that he hopes that Board would agree that this is the kind of project the Town is looking to invite, regarding reuse of an existing space. The Board of Health, Building Department, and Fire Department will now do their due diligence regarding permitting.

Mr. Wade noted that the Finance Committee has asked Board members to attend its meeting tomorrow evening to discuss the general bylaw and zoning bylaw proposed for its consideration.

Approval of Minutes – February 6, 2023

Mr. White moved to approve the meeting minutes of February 6, 2023, as amended. Ms. Vorce seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; Vorce – aye; and Markowitz – aye. Motion passed 5-0-0.

Recommendation of Warrant Article

- Fall Town Meeting
- *Other Articles to be considered 3/6/23*

Chair Barbadoro stated that the Board previously had consensus that if the Board got its order preference for Annual Town Meeting, it would prefer to forgo a Fall Town Meeting. The Board would rather be first on the agenda for the second night of Annual Town Meeting. Ms. Markowitz noted that she believes the proposed wording for this Article is a bit too restrictive.

Chair Barbadoro requested that the Board table discussion regarding the rest of the Articles until its next meeting.

Ms. Markowitz asked if the Planning Board will be allowed to comment on all Articles, or only the ones included in the Board's packet. Other boards were given a full copy of the warrant.

Ms. Markowitz moved that the Planning Board should be given a full draft of the warrant. Ms. Verner seconded.

Discussion:

Chair Barbadoro stated that a full copy of the draft should be available to the entire Town.

Roll call: Barbadoro – aye; Verner – aye; White – aye; Vorce – aye; and Markowitz – aye.
Motion passed 5-0-0.

Planning Board Training

None at this time.

Committee Reports:

- Community Preservation Committee (Vorce)
- Design Review Board (Verner)
- Economic Development Committee (White)
- MAGIC Representative (Markowitz)
- Water Resources Committee (Keating-Connolly)

Chair Barbadoro stated that the WRC requested a study to determine the cost of placing the pipes. Ms. Markowitz noted that Article 2 of the Special Annual Town Meeting is for \$50,000 for engineering and potential legal expenses regarding the proposed water line extension. She stated that it was previously stated that there would be no cost to the Town associated with this project. Chair Barbadoro agreed that the Town was assured this would not cost the Town any money.

Becky Neville stated that the Select Board just voted to recommend Article 2 to be placed on the warrant, including the \$50,000.

- LELWD Small Cell Committee (Markowitz)
- Building Committee – TBD
- Boxborough Leadership Forum (Barbadoro)

Recently Received Correspondence

None at this time.

New Business (if any)

The Board noted that it will be discussing the Accessory Dwelling Unit proposal and the Tree Protection bylaw at its next meeting on March 6th.

ADMINISTRATIVE BUSINESS - *The Board did not address these items at this time.*

- Town Center/Enclave Project Updates
- Technical Assistance Program Grant Application and other Grant Opportunities
- Master Plan Action Items
- Website update
- Legislative Update

Ms. Vorce moved to adjourn the meeting at 8:28pm. Mr. White seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; Vorce – aye; and Markowitz – aye.

Motion passed 5-0-0.

Meeting Documents:

Planning Board Agenda February 27, 2023

100 Codman Hill Road documents

244 Adams Place documents

Recommendations for Annual Town Meeting 2023

Draft Minutes

Join Zoom

Meeting <https://us02web.zoom.us/j/86544671616?pwd=RUptWHAwd29ueVJsT2loR1BhaGY3Zz09>

Meeting ID: 865 4467 1616

Passcode: 298977