



**TOWN OF BOXBOROUGH
PLANNING BOARD**

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

Approved on April 6, 2020

**Meeting Minutes
March 9, 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 7:04PM.

Administrative Business

Meeting Minutes

- Ms. Fillmore motioned to approve the minutes of January 13, 2020 as amended. Seconded by Ms. Verner. Motion passed 3-0 (Mr. White not present at Jan. 13 meeting, no vote).
- Mr. White motioned to approve the minutes of January 27, 2020 as amended. Seconded by Ms. Verner. Motion passed 4-0.
- Ms. Verner motioned to approve the minutes of February 3, 2020 as amended. Seconded by Ms. Fillmore. Motion passed 3-0 (Mr. White not present at Feb. 3 meeting, no vote).

Town Center/Enclave Project

Mr. Corson provided an update to the Board. He shared that the blasting permit has been renewed and due to the warm rainy weather, reports on the Stormwater Pollution Prevention Plan have restarted. He also noted that the Planning Board and Design Review Board have received a submission from the property owner outlining project updates and proposed landscaping and building additions.

Mr. White asked Mr. Corson if he has had any issues or received any complaints regarding the project. Mr. Corson responded that there have been some inquiries about the noise and rock crushing, but it has amounted to less than one call per week.

Ms. Markowitz asked Mr. Corson if he knew of the end date for the blasting and rock crushing. Mr. Corson responded that he understands that this portion of the sitework is very close to completion.

Zoning Bylaw Audit

Mr. Corson shared that he has scheduled a phone conversation with a prospective company regarding what services it can offer with respect to the audit. Currently Mr. Corson shared that they

are in the introductory phase and want to explore the different services offered between smaller and larger firms.

Planning Board Training

Mr. Corson provided an update that the Citizens Planner Training Collaborative (CPTC) event has been cancelled until further notice. He also invited the community and perspective members to attend the March 16th 7-8:30PM Planning Board training. He noted that information and materials for this training will be posted online for the public.

Ms. Markowitz shared that there is a scheduled Open Meeting Law training in Stow on March 25th 5:30-7PM.

Solar Bylaw

Mr. Corson shared that he is working to seek avenues for funding in order to continue preparing the Solar Bylaw.

Ms. Markowitz proposed to keep the Solar Bylaw as an agenda item to continue to follow up on progress. She explained that when the Town receives assistance the Board can then revisit the Bylaw and choose to determine a target date.

Committee Reports

Community Preservation Committee (Reip) – Ms. Reip not present at meeting.

Design Review Board (Verner) – Meeting is planned for Tuesday morning.

Economic Development Committee (White) – The EDC met last week. The Committee was focused on the Bylaw Amendments.

Ms. Markowitz asked if dates for the charettes during Phase 2 of the UMass Study have been determined. Mr. White responded that the EDC will narrow down what the Town wants and use the charrettes to gather further input from the community. One charrette will be scheduled on a weekday and the other during the weekend. He explained that the goal is to accommodate different times for more residents to be able to attend. Mr. Corson shared that the plan is to host one on Thursday, April 16th at night where the community can hear about what happened during Phase I, hear introductions, and provide feedback. The second charrette will be held on Saturday April 18th at 9PM where an action statement will be created.

MAGIC Representative (Markowitz) – No new update.

Water Resources (Fillmore) – Meeting will be held on Wednesday evening.

Boxborough Building Committee (Reip) – Ms. Reip not present at meeting.

LELWD Small Cell Committee (Markowitz) – Has not met recently, no update.

Silas Taylor Farm Road

Extension of Definitive Subdivision Plan and Private/Common Driveway Special Permit

Glen Kaufmann provided an update regarding the status of the lots on Taylor Farm Road. He requested a two-year extension and is seeking to turn the road over to the Town after that period. He noted that he is currently not ready to turn over the private drive to the Town.

Mr. Corson explained that Mr. Kaufmann should address and deliver a written letter to the Planning Board outlining the request for the extension. Following this, the Board can review the request and bring forward questions.

Ms. Markowitz asked about the status of the roadway. Mr. Kaufmann responded that the roadway has been paved with binder. He explained that he plans to pave and add the topcoat by the fall so that it can be eligible for acceptance after the winter season.

Mr. White asked Mr. Kaufmann if he expects to drive construction vehicles on the final paved road, as there are still lots with construction needs. Mr. Kaufmann responded that trucks would drive on the paved road but unload directly on the lots. He added that he is unsure if he wants to sell the remaining lots at this time.

Ms. Markowitz noted that the Town has a performance guarantee in place. She clarified that Mr. Kaufmann should submit a letter to the Board outlining the request in writing. Then the Town's consulting engineer can provide input. Mr. Corson explained that this process should be followed as it is good practice from a record keeping perspective.

Zoning Bylaw Amendment Recommendations

The Board reviewed the drafts for the following Zoning Bylaw Amendments:

Amend Zoning Map Appendix B [Article 175-1]

- Mr. White motioned that the Planning Board recommend the Zoning Bylaw Amendment (Article 175-1 Amend Zoning Map Appendix B) to change the zoning designation of a portion of parcel at 700 Massachusetts Avenue (parcel 014-208-000) from "Town Center" to "Agriculture-Residential". Seconded by Ms. Markowitz. Motion passed unanimously 4-0.

Rebecca Neville (Finance Committee member) shared that the Finance Committee supported the Amendment and is looking forward to the real estate tax revenue.

Maria Neyland (Select Board Chair) shared that the Select Board does not vote on Zoning Bylaws but may consider a vote in support of this amendment at their next meeting.

Article 175-2B Section 6003 & Section 6006: Parking and Off-Street Loading Requirements

Ms. Markowitz shared that there will be another Public Hearing on the final bylaw language for all of the zoning bylaw amendments on March 23.

- Mr. White motioned that the Planning Board recommend and support the Zoning Bylaw Amendment (Article 175-2B Parking). Seconded by Ms. Fillmore. Motion passed unanimously 4-0.

Section 2100: Definitions, Specialty Food Shop [Article 175-2A]

Ms. Markowitz outlined the modified definition developed by the EDC and outlined the differences of the provided versions. Ms. Verner suggested changing the definition's use of the word "portion" to outline a designated percentage of locally sources goods for better specificity.

Mr. Corson addressed how he and the zoning enforcement officer determine what use a proposed entity would fall under when an applicant proposes a use to the Town. He explained that zoning officials focus on the most applicable code when reviewing a proposed use. He also noted this definition is proposed to align with the objectives of the Master Plan and the findings from the UMass study and the stated desires of the public.

Ms. Neville (Finance Committee member) shared that having a coffee shop in town is good, but limiting the shop to source a percentage of its goods locally can be difficult as there are many goods which are not grown or produced in the region such as coffee beans.

Ms. Markowitz questioned how a business will be asked to demonstrate that its use meets the requirements within the proposed definition. Mr. Corson responded that the zoning official will review an application for a business which seeks to open a shop in Town and apply the most relevant definition, but the onus would be on the applicant to demonstrate that the proposed use meets the requirements stated in the use definition.

- Mr. White motioned that the Planning Board recommend the Zoning Bylaw Amendment (Article 175-2A Specialty Food Shop). Seconded by Ms. Fillmore. Motion passed unanimously 4-0.

Amend Zoning Bylaws 6204 & 6300 Outdoor Lighting and Signs [Article 175-3]

Ms. Verner outlined that the amendment is a way to bring clarity to the existing Bylaw. Ms. Markowitz added that this includes the addition of tables and figures to the Bylaw. Ms. Verner explained that these tables and figures will be a point of reference for applicants to utilize.

Mr. White asked about enforcement. Ms. Verner noted that the proposed amendments are no more restrictive than the current Bylaw. Mr. White felt that it may be easier to refer to groups such as the Dark Sky Association for requirements than to insert all of the information into the Bylaws. He

highlighted that the cost of regulations has grown over time and adding further requirements within the Bylaw will contribute to this. Ms. Verner responded that the proposed amendments should not add cost but rather clarity to the existing bylaw. Mr. White expressed concern over the complexity and length of the proposed amendments and wondered if the language could be simplified.

Ms. Neville (Finance Committee member) shared the concern that enforcement costs would be high and the requirements would not be beneficial to existing businesses in Town.

Ms. Verner stated that shielded lighting is currently a requirement of Boxborough's existing Bylaws and that the proposed amendment would not incur additional enforcement costs.

- Ms. Fillmore motioned that the Planning Board recommend the Zoning Bylaw Amendment (Article 175-3 Lighting & Signs). Seconded by Ms. Verner. Motion passed unanimously 4-0.

Stormwater General Bylaw for Construction and Post Construction [Article 175-4]

Ms. Markowitz outlined the goal to pass the Bylaw this year with the understanding that the rules and regulations are forthcoming and specific to the Town. She noted that stormwater permits will likely be presented to the Planning Board.

Mr. White asked if the Select Board has viewed the presentation. Ms. Neyland (Select Board Chair) responded that the Select Board has seen the presentation and voted unanimously 3-0 in support.

- Ms. Fillmore motioned that the Planning Board recommend the General Bylaw (Article 175-4 Stormwater). Seconded by Ms. Verner. Motion passed 3-1 (Mr. White opposed).

Ms. Markowitz asked if the Finance Committee reviewed the costs. Ms. Neville (Finance Committee member) responded that it is already within the Town's budget and that it ultimately cost more in fines, than it does to comply. Mr. White noted that the cost of the requirements will be transferred to builders.

Mr. White motioned to adjourn. Seconded by Ms. Verner. Motion passed 4-0 at 8:57PM.

Meeting Documents & Exhibits

Article 175-1 Zoning Bylaw Amendment: Amend Zoning Map Appendix B

Article 175-2A Zoning Bylaw Amendment: Amend Zoning Bylaws 2100, and 4000 (Table 4003(4)) - Specialty Food Shop

Article 175-2B Zoning Bylaw Amendment: Amend Zoning Bylaws 6003, 6006 - Common Parking Areas and Parking Schedule

Article 175-3 Zoning Bylaw Amendment: Amend Zoning Bylaws 6204 and 6300- Outdoor Lighting and Signs

Article 175-4 General Bylaw: Construction and Post Construction Stormwater Bylaw

**Please note: Article numbers are updated as amendments move forward throughout the process.*