



## TOWN OF BOXBOROUGH PLANNING BOARD

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Cindy Markowitz, Chair • Mark White, Clerk • Nancy Fillmore • Rebecca Verner

Approved on June 29, 2020

### Meeting Minutes May 18, 2020 7:00PM Remote Meeting

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

**Also Present:** Simon Corson (Town Planner), Susan Carter, Places Associates (Town Consulting Engineer)

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

#### 1 Paddock Lane Scenic Road Permit and Stone Wall Alteration Decision

Ms. Markowitz presented the draft Decision for Approval with Conditions for the Scenic Road Permit and Stone Wall Alteration. The Board had voted to approve the permit at its April 27, 2020 meeting.

Ms. Verner motioned to authorize Town Planner, Simon Corson, to sign the decision for the Scenic Road and Stone Wall Permit as amended. Seconded by Mr. White. Motion passed unanimously, 4-0.

#### Town Center/Enclave Project

Mr. Corson provided an update that the sitework has proceeded and grading has begun in preparation for the road. He shared that the blasting permit was renewed and that a fire detail was present on site during the recent blasting activity.

#### Review 700, 750, & 800 Massachusetts Avenue

Ms. Markowitz shared a timeline of the project and submittals received by the Planning Board since Site Plan Approval was granted on August 15, 2019 to provide context regarding the Planning Board's review process. She noted that April 28, 2020 was the first complete submittal of Landscape Plans and other materials for review, and said materials were being reviewed pursuant to Conditions 12, 19 and 20 of the Site Plan Approval dated August 19, 2019.

#### Review of Sidewalk Plans: Condition 12 of Site Plan Approval Decision

Dave Bauer introduced himself and noted that he represents Toll Brothers, and clarified that Toll Brothers is not the Applicant but is in contract to buy the property and be the builder. He explained the decision to not begin work on the easement in late 2019 was to avoid negative impact to the sitework from winter weather. He shared that he has met with the abutters to discuss the entry easement features, fencing, and landscaping. He noted that from Toll Brothers point of view, there is a good relationship with the abutters.

Greg Roy of Ducharme & Dillis presented the sidewalk plan and discussed the design relative to the conditions of approval. He noted that Ducharme & Dillis received the Town consulting engineer, Sue Carter's comments and he has had a conference call with Ms. Carter and Mr. Corson. Mr. Roy shared that a response letter has been drafted to address the comments from Ms. Carter. He asked the Board to offer their comments so that they can be addressed.

Ms. Verner shared her concerns on the impact to the existing trees and stone wall along Stow Road. She was happy to hear that the Tree Warden will be evaluating the site to identify significant shade trees to be protected. She raised concern over the loss of any significant shade trees in the area and to adjustments to the stone wall.

Mr. White noted his concern over the location of the telephone pole at the corner of the sidewalk. He sought to ensure that work is being coordinated with Littleton Electric to relocate the pole. Mr. Roy responded that Toll Brothers and Jim Fenton have been involved in discussions with the electric company. He shared that the sidewalk has been designed to avoid the conflict so that relocation of the pole is not required.

Ms. Markowitz asked if the utilities are being relocated. Mr. Roy responded that some utilities require relocation. He also noted that two mailbox structures will be relocated and this is being coordinated with the postmaster. He shared that the plan would provide detailed magnified sections of the site to capture areas such as utilities and mailboxes.

Ms. Verner asked if the design of the entrance including sight distance triangle and signage on the retaining wall will be provided in the plan. Response was that this will be included in the plan.

Mr. Markowitz noted the Chief of Police's request for a flashing LED sign at the crosswalk at Massachusetts Avenue. Ms. Carter shared that MA DOT was not in favor of flashing lights at the crossing. Ms. Markowitz requested for the applicant to further review this matter due to the anticipated increase in foot traffic and that this was a part of Condition 12 of the Site Plan Approval.

Ms. Carter explained that because the site is along a scenic road, the Planning Board will be reviewing this under the Scenic Road Special Permit. She also noted that any of the trees along the right-of-way are public shade trees and will be subject to a public hearing in addition to permits from the Select Board. She explained that this will result in further opportunities for the Town to review at a later date.

Ms. Markowitz asked if this work would be done in conjunction with other sitework or at a later time. Mr. Bauer responded that the priority is to continue the current site and easement work first and that the work in question is projected to begin later in the year. Ms. Carter noted that Condition 44 of the Site Plan Approval requires that the sidewalk be completed by the issuance of the Certificate of Occupancy for tenth unit of the project.

Shawn Nuckolls of Toll Brothers shared that the landscape plans address the enhancements to the entry easement access road and the screening requirements along the abutting properties and Stow Road.

Mr. Verner shared her comments regarding reducing the number of evergreen trees from 29 to 17 trees. She shared that she favored the original plan which provided additional screening. She recommended that a mixed evergreen screen be installed to improve screening of the development from abutting properties. She asked if the trees along the entry drive have been revised. Mr. Nuckolls responded that trees along the entry drive have not been changed. Ms. Verner explained that competing plant material in the screening will cause the undergrowth to struggle from lack of light cause by the shade tree canopy.

Mr. Bauer explained that the Enclave Condominium Association will maintain the easement landscaping including the trees along the entryway.

Mr. White called attention to the concerns of abutters who want the project to be completed. He reviewed the screening areas and noted an instance where the Applicant or Toll Brothers can work with the abutter at 539 Burroughs Road to address the landscape screening.

Ms. Carter shared that the decision outlines criteria for an opaque landscape buffer. She explained that the building inspector will be able to review the site work to determine if the planting aligns with the opaque requirement.

Ms. Markowitz asked if the applicant would consider some of the suggestions made by Ms. Verner regarding additional perimeter screening for homes along Burroughs Road.

Mr. Bauer shared that Toll Brothers has already made investments into additional planting in the landscape plan and is working in good faith to provide revised plans to satisfy landscaping requests.

Ms. Markowitz responded that there is a need for an opaque buffer based on the intent of the Bylaw. She asked what the diameter of the trees will be when planted and if it will take time for the screen buffer to grow out.

Ms. Verner shared that, as recommended by the Design Review Board (DRB), there is a need for certain foliage types such as evergreen trees in order to provide the consistent opaque screening and prevent a bare trunk and canopy as they grow over time. She added that the age and spacing of the trees being planted will also impact the level of screening and that this may not suffice when inspected.

Ms. Markowitz asked the Applicant if it was willing to consider the recommendations from the DRB's May 13, 2020 report regarding landscaping as a condition of approval.

Mr. Bauer responded that Toll Brothers will continue to consider the requests it receives. He asked if there could be definitive requirements rather than open ended conditions.

Ms. Markowitz proposed using the DRB report recommendations to achieve the desired result for landscape screening.

Mr. Bauer proposed taking the conversation offline to review the landscape plan further and resolve the challenges.

#### Review of Architectural Designs: Condition 20 of Approval Decision (August 19, 2019)

Ms. Markowitz presented a letter received earlier in the day from Toll Brothers addressed to the Planning Board. It provided a response to the Planning Board questions and DRB report regarding the building square footage.

Mr. Bauer shared that the homes presented are a reflection of new architecture plans developed to accommodate the design goals of the community. He noted that the business model of Toll Brothers begins with a base design which can then be customized to fit the unique desires of each buyer. He outlined that due to the potential variation in designs, the plan shows the possible adjustments which can impact the footprint of the house.

Mr. Nuckolls presented the differences between the approved building footprint and the proposed footprint. He explained the differences and provided calculations for the maximum dimensions that the customizable options can achieve.

Mr. White cited his concern that this new information was provided late in the process. He shared that he wants success for all parties involved in the project. He explained his understanding that the Planning Board's main priority is to ensure requirements such as setbacks and drainage are met, while the applicant and builder should work to achieve a successful project design. He asked how the different designs will impact the Planning Board's review, for example impervious surfaces causing a change in water runoff and drainage calculations.

Ms. Verner shared her concern over the larger building footprints compared to abutting properties. She highlighted the need to ensure that the buildings fit in with the existing neighborhoods. She cited the decision which established the standard building size and asked if the building options can be worked within those dimensions rather than expanding the footprint.

Mr. Bauer responded that Toll Brothers has already begun its work on the architecture designs and marketing to the buyer segment. He shared that through earlier conversations, the concept of customizable designs was discussed and that the proposed designs are what the consumers want. He shared that they feel very strongly about the success of the project with respect to what was submitted.

Ms. Verner responded that it was expected that the customizable options would be presented within the agreed standard footprint in the decision.

Ms. Markowitz offered her understanding of the viewpoints from all aspects of the discussion. She noted the challenge that the Town Center district was not intended to be a private residential community. She explained that she is surprised by the footprint increase compared to what was included in the settlement agreement and accompanying documents. She noted that the proposed outdoor living designs further call for the proper screening of the development and a review of the pervious and impervious areas for drainage calculations.

Mr. Roy addressed the drainage concerns responding that there would only be minor changes and that the drainage requirements would be accommodated within the designs.

Mr. Bauer confirmed that drainage calculations will be provided to assume the maximum impervious amounts and that during construction, the actual impervious coverage is tracked against the requirements.

Mr. Nuckolls shared that the earlier design had driveways with a maximum length of 35-feet. He noted that in the new proposal the driveways without a sidewalk would be moved 10-feet closer to the road which would further reduce the impervious area.

### Public Comment

Resident, Janice Yakel shared that there is such a variety of housing sizes in Town and that she does not see an issue with the footprint size of the units in the development.

Resident, Cathy Biron shared that the lack of a buffer since site clearing in October 2019 has been an issue at her residence. She described the current view behind her house seeing tree stumps and boulders between her house and the development. She shared that the tree cutting has increased the house's exposure to the elements. She requested that the buffer be installed soon as it will help to visually screen and reduce noise pollution from the sitework.

Resident, Emile Biron offered his appreciation of the review and the information it has provided. He shared that he is willing to join the walk-through for the landscape plantings to achieve an appealing project that also maintains privacy between the properties.

### Condition Review & Decisions

Ms. Markowitz summarized that the representatives of the project will provide the Planning Board with a revised plan for the sidewalk, will work with Ms. Verner to revise the landscape drawings, and will provide modifications to the presentation plans based on the discussions during the meeting. She asked what they are specifically seeking from the Planning Board

Mr. Nuckolls asked the Planning Board to approve the presented plan including the modified house-box plan, the driveway length alteration, and screening buffer changes subject to the submission of the drainage calculations.

Ms. Markowitz clarified that the request calls for a Site Plan Modification under Condition 20 of the Site Plan Approval and approval of Condition 19, the landscape plans with modifications recommended by the DRB.

Mr. White motioned to approve Condition 19, incorporating proposals by the DRB May 13, 2020 Report in conjunction with the DRB chairwoman working with Toll Brothers to finalize a landscaping plan for future endorsement. Seconded by Ms. Verner. Motion passed 3-0 (Ms. Fillmore recused).

Mr. White motioned for Modification of the Site Plan Approval under Condition 20, including approval of the Presentation Plan dated April 22, 2020 and Architectural Plans originally dated January 28, 2020 and updated April 15, 2020, conditioned on the following: 1) compliance with

recommendations for landscaping, signage, lighting, and patios to be made out of porous pavers or porous materials as identified in the Design Review Report dated May 13, 2020, 2) the modifications identified in the response letter from Toll Brothers dated May 18, 2020, specifically a reduction in the driveway length from 35 feet to 25 feet for all units which do not have a sidewalk in front of them, and 3) receipt of satisfactory drainage calculations. Seconded by Ms. Markowitz. Motion passed 3-0 (Ms. Fillmore recused).

### Zoning Bylaw Presentations

Ms. Verner shared that there is no update that this time. Mr. White reported that he is not planning to make a presentation. Ms. Markowitz shared that she is working with Mr. Corson and they do not have a presentation prepared yet but will use the maps in the warrant as a visual for the presentation.

### Administrative Business

#### Meeting Minutes

Ms. Verner motioned to approve the Planning Board meeting minutes of April 6, 2020 as amended. Seconded by Mr. White. Motion passed unanimously, 4-0.

#### Zoning Bylaw Audit

Mr. Corson shared that he has identified the Barrett Planning Group after a review of references. He plans to share the scope of the work provided by the Barrett Planning Group with the Planning Board to review at the next meeting.

#### Schedule Future Planning Board Meetings

Upcoming Planning Board meeting dates have been set for June 15, 2020 and June 29, 2020.

#### Planning Board Training

Ms. Markowitz reported that she and Mr. White attended the online CPTC (Citizen Planner Training Collaborative) training which outlined roles and responsibilities of the Planning Board. She noted that the slide deck can be found on the organization's website.

#### Solar Bylaw

Mr. Corson shared that he had a conversation with the Metropolitan Area Planning Council (MAPC) and expects to receive correspondence prior to the next Board meeting.

#### Committee Reports

Community Preservation Committee – No representative, no update.

Design Review Board (Verner) – Board reviewed and issued a report for the Town Center/Enclave Project.

Economic Development Committee (White) – Ms. Markowitz shared that EDC chair, Rich Guzzardi, provided the draft list of items that are being used for Phase II of the UMass Study. Mr. White shared that the Study would continue forward with a wide scope until the charettes are held tentatively in the fall.

MAGIC Representative (Markowitz) – MAGIC produced a report on Healthy Aging and Healthy Living, focusing on regional age-friendly housing and transportation assessment and strategies. The report discusses how to accommodate senior housing and transportation. A survey was conducted on topics of greatest interest by MAGIC members. MAGIC is also compiling a list of agritourism destinations.

Water Resources (Fillmore) – No new update.

LELWD Small Cell Committee (Markowitz) – No new update.

Ms. Fillmore motioned to adjourn. Seconded by Ms. Verner. Motion passed unanimously, 4-0 at 9:52PM.

#### Meeting Documents

Boxborough Town Center, LLC, Toll Brothers, Inc. – Letter Agreement with Sheriff's Meadow and Tisbury Meadow, April 28, 2020

Correspondence – Janice Yakel, SMCA Board, May 18, 2020

Correspondence - Fenton and Son Contracting Inc., May 11, 2020

Correspondence – Paul Kerrigan, April 30, 2020

Memo from C. Markowitz to S. Corson - 700, 750 & 800 Massachusetts Avenue Submittals with Appendix (700, 750 and 800 Massachusetts Avenue Site Plan Review and Modification Recent Information Submitted (2020)), May 11, 2020

Design Review Board Report - Enclave at Boxborough: 700, 750 & 800 Massachusetts Avenue, May 13, 2020

Toll Brothers, Inc. Response to Design Review Board Supplemental Information – Enclave at Boxborough, April 28, 2020

Ducharme & Dillis - Enclave at Boxborough, Memo March 18, 2020

Ducharme & Dillis - Enclave at Boxborough, Memo May 5, 2020

Places Associates – Enclave at Boxborough, Memo May 4, 2020

Places Associates – Enclave at Boxborough, Memo May 7, 2020

Updated Presentation Plan as prepared by Ducharme & Dillis dated 4/22/20

Updated Architectural Plans as prepared by Toll Architecture dated 4/15/20 and 4/27/20

Updated Landscape Plans (sheets 1 – 9) as prepared by ESE Consultants dated 4/28/20

Stow Road Sidewalk Plan as prepared by Ducharme and Dillis dated 4/23/20

Site plan showing site relationship to adjacent structures with photos of site conditions and adjacent structure elevations.

Shawn Nuckolls, Toll Brothers, Inc. - Enclave at Boxborough – Response to DRB recommendations and Planning Board requests, May 18, 2020

Planning Board Meeting Minutes - April 6, 2020

Scenic Road & Stone Wall Alteration Permit - 1 Paddock Lane

Planning Board Meeting Minutes

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ZOOM ACCESS PROTOCOL

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