



**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 • Nancy Fillmore • Rebecca Verner

Approved on June 29, 2020

**Meeting Minutes  
June 1, 2020  
7:00PM  
Remote Meeting**

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

**Also Present:** Simon Corson (Town Planner)

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

Administrative Business

Meeting Minutes

Mr. White motioned to approve the April 27, 2020 Planning Board meeting minutes as amended. Seconded by Ms. Fillmore. Motion passed unanimously 4-0.

Town Center/Enclave Project

Mr. Corson updated the Board sharing that rough grading and site work continues in order to prepare for road paving operations. Work was done to improve the temporary access road. The daily site work agenda is determined by environmental conditions as they pertain to the natural impacts to the site, primarily weather. Current activities are related to paving preparations, erosion control and dust mitigation.

Ms. Markowitz asked about the status of work on the access easement. Mr. White shared that work on the access easement has begun. Ms. Markowitz asked if there are erosion sediment controls in place along the access road. Mr. Corson responded that there are erosion and sediment controls in place at the site.

Ms. Markowitz reported that the Planning Board received a response from Toll Brothers regarding the discussions held during the May 18, 2020 Planning Board meeting. The response included two revised landscape drawings and the revised presentation plan. She proposed that the Board review the documents return any comments to Mr. Corson within one week. He will then compile the comments into a memo to return to Toll Brothers. She noted the importance of presenting any comments in written form to maintain proper documentation of the correspondence between the Board and Toll Brothers.

Mr. Corson proposed that during this time he will coordinate a meeting between Ms. Verner and the Toll Brothers representative to review the landscape plans together, as discussed during the May 18, 2020 meeting.

## Solar Bylaw

Mr. Corson provided a summary of the email correspondence received from the Metropolitan Area Planning Council (MAPC) regarding the technical assistance the Board had previously received for help drafting a Solar Bylaw and that the Board would need to reapply for funding. He explained the options the Board has to re-apply for a Technical Assistance Program (TAP) Grant. Ms. Markowitz noted her concern over the timing of previous collaboration with the MAPC and shared that the Board should first decide on whether to engage with MAPC for this purpose.

Mr. White shared that it would be best to submit an application and potentially receive support from an additional resource. He noted the alternative, not submitting an application, would result in the Planning Board working on its own in which progress can be slowed by the other responsibilities of the Board. Mr. Corson shared that he would support the Board in submitting the application.

Ms. Markowitz noted that the Board should be judicious in determining when to apply for the grants from the MAPC as there may be other topics the Board would like assistance with. She proposed that the Board review the existing application for the Solar Bylaw assistance before a decision is made to enter a submission.

Ms. Verner shared that there is no harm in submitting an application to receive the support. She asked what the current timeline for the Solar Bylaw is and how this grant could support it. Ms. Markowitz responded that she plans to develop a list of priorities after elections with the current and newly elected Board members.

## Zoning Bylaw Audit

### *Review scope of work.*

The Board reviewed the scope of work provided by the Barrett Planning Group.

Mr. White shared that the scope aligns with what was initially requested and that he is anxious for work to begin.

Ms. Markowitz shared that the work would extend about three-and-one-half months and will produce a zoning diagnostic report. This report can be used by the Board in the future to identify other areas where deficiencies may need to be addressed.

The Board instructed Mr. Corson to sign the scope of work and accept the proposal.

## Zoning Bylaw Presentation

### *Review timeline for presentations.*

Ms. Markowitz noted that the Town will host the Annual Town Meeting at the Boxborough Regency on June 22, 2020. She listed the three Planning Board's proposed Articles included in the Consent Agenda: Articles 39 – Specialty Food Definition, 40 – Zoning Map Amendment, and 41 – Parking Requirement Changes. Ms. Verner shared that she will make the motion and make the presentation for Article 42 – Lighting Bylaw Amendment.

Ms. Verner reported that she has completed a draft presentation for the Lighting Bylaw Amendment and that she will share the file with the Board. She requested that the Board members review the file and provide her with any comments before the submission deadline on June 7, 2020.

#### Boxborough Building Committee

*Review Planning Board representation on the committee.*

Ms. Markowitz shared that the Board should determine its status of representation on the Building Committee with respect to voting or non-voting membership. She proposed that the discussion be deferred until after the Town elections so that newly elected members can take part in the decision. She explained that the next meeting will also include committee liaison assignments. She explained her hesitancy regarding the Board having a voting member on the Committee, as the municipal building project may require special permits or site plan review from the Planning Board.

Mr. White asked about the current status of Planning Board membership on the Committee. Ms. Markowitz responded that the current Building Committee charge identifies the Planning Board individual as a voting member which could result in recusal if the project requires review from the Planning Board.

#### Committee Reports

Community Preservation Committee – No representative, no update.

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

Economic Development Committee (White) – Nothing new, he reported that work continues as expected. Ms. Markowitz asked when the Committee expects to receive its first deliverables from UMass. She also reported that Committee chair, Rich Guzzardi shared the draft scope of work with the Board.

MAGIC Representative (Markowitz) – Nothing new to report.

Water Resources (Fillmore) – Nothing new to report.

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

#### Public Comment

Resident Robin Lazarow asked if the current issues the Planning Board is focused on are published on the Town website. Ms. Markowitz responded that the website provides a section for the Board to list current projects and applications which also holds recent documents. She noted that it is a Board goal to improve the web location and that Mr. Corson plans to maintain the site by consistently uploading and organizing any new files. Ms. Markowitz shared that the current issues are listed on the Board's meeting agendas which are posted on the Town website along with the meeting materials prior to the scheduled meeting date.

Resident Carol Driscoll expressed her concern regarding the site work on the access easement for the Enclave Project. She shared that the construction hours agreement signed by Sheriff's Meadows allows

for work to begin at 7AM on Saturdays while the Special Permit/Site Plan Approval designated construction hours between 8AM-4PM. She asked if the Special Permit/Site Plan Approval superseded the signed agreement by Sheriff's Meadows. Ms. Markowitz responded that the Special Permit/Site Plan Approval documentation designating the construction hour start time of 8AM on Saturdays is the overriding agreement. This was concurred by Mr. Corson.

Ms. Driscoll also called out the requirement in the Site Plan Approval for the construction of sidewalks along the easement. She expressed her concern in the agreement between Boxborough Town Center, LLC, Toll Brothers and the Sheriff's Meadow and Tisbury Meadows condominium associations, that the future Enclave condominium association will determine the maintenance of the sidewalks during the winter months, noting that there is no requirement for snow plowing. She explained that the construction of the sidewalks reduces the greenspace in the community and that she is disappointed that year-round maintenance of the space is not required. Ms. Markowitz responded that the Operations and Maintenance Agreement for the Enclave Condominium Association is to be reviewed by Town Counsel and the Planning Board. Ms. Markowitz also suggested that Ms. Driscoll raise this concern to her condominium association president since the Sheriff's and Tisbury Meadows' boards are parties which signed the agreement with Boxborough Town Center, LLC and Toll Brothers.

Mr. White motioned to adjourn. Seconded by Ms. Verner. Motion passed unanimously, 4-0 at 7:55PM.

#### Meeting Documents

Barrett Planning Group: Scope of Work (Zoning Bylaw Audit) – May 28, 2020  
Boxborough Solar Regulation Funding from MAPC - Correspondence May 27, 2020  
Planning Board Draft Meeting Minutes – April 27, 2020

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

#### Zoom Access Protocols

Join Zoom Meeting: <https://us02web.zoom.us/j/81850303371>  
Meeting ID: 818 5030 3371  
One tap mobile: +13017158592, 81850303371# US (Germantown) & +13126266799, 81850303371#  
US (Chicago)