



TOWN OF BOXBOROUGH PUBLIC MEETING Meeting Minutes

Zoning Board of Appeals
July 21, 2020
7:15 PM
Boxborough Town Hall 29 Middle Road

Approved: July 28, 2020

Members Present: Mark White (Chair), Kristin Hilberg (Clerk), Mark Barbadoro, Stefano Caprara (joined meeting at 7:20) and Michael Toups

Also Present: Simon Corson, Town Planner, Carol Driscoll, Janice Yakel, Cindy Markowitz, Becky Neville, Elizabeth Nichols, Brian Davis and Shawn Nuckolls from Toll Brothers

At 7:15 PM, Mark called the meeting to order and noted this meeting is being conducted via Remote Participation, pursuant to Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of COVID-19 a.k.a. the Coronavirus.

Public Participation: Mark offered the public the opportunity to participate, nobody raised their hand

Minutes

Motion was made by Mark B, seconded by Kristin and moved unanimously by roll call to approve as drafted the minutes of February 4, 2020. Unanimously approved 4-0

Motion was made by Mark B, seconded by Kristin and moved unanimously by roll call to approve as drafted the minutes of April 21, 2020. Unanimously approved 4-0

Motion was made by Mark B, seconded by Kristin and moved unanimously by roll call to approve as drafted the minutes of May 5, 2020. Unanimously approved 4-0

Motion was made by Mark B, seconded by Kristin and moved unanimously by roll call to approve as drafted the minutes of May 19, 2020. Unanimously approved. 5-0

Motion was made by Mark B, seconded by Kristin and moved unanimously by roll call to approve as drafted the minutes of June 16, 2020. Unanimously approved. 5-0

New Correspondence: None

Mark asked if there were any updates to the ZBA Rules and Regulations. There were none.

700, 750, & 800 Massachusetts Avenue Special Permit Hearing Free Standing Sign and Variance Hearing for a Construction Trailer

Mark White opened the public hearing at 7:24PM and read the attached public notice.

The property, Assessor's Map 14-208-000, 14-209-000 and 14-210-000 is owned by Boxborough Town Center LLC and is located in the Town Center Zoning District.

Shawn Nuckolls, representing the Applicant Toll Brothers, was present for the hearing.

Special Permit

Regarding the Special Permit on the request for a free-standing sign, the application included illustrations, photographs, and a plan showing the location of the requested sign.

The sign will identify Enclave at Boxborough and replace the individual signs for Tisbury Meadow and Sheriff's Meadow.

Shawn noted signs will be painted cedar panels and was designed to conform with the appropriate zoning bylaws. It will replace the two free standing signs at the entrance of Tisbury Meadow and Sheriff's Meadow.

Mark B. commented that the letters of the three developments are different font sizes. Kristin agreed and noted that it would be more respectful to the two other neighborhoods to have the words all the same size. Suggested to Shawn that all the letters be the same size, he agreed that this could be done. This will be incorporated into the decision. Mark W. suggested this condition be added to the decision.

Cindy M. brought up her concern about the sign impeding visibility for residents pulling in and out of the neighborhoods. Shawn assured the board that this was being taken into consideration and the updated plans will reflect the site triangle change and meets the town's requirements. Simon referenced sheet 6 of the landscape plan, Mark White said the town engineer would verify that the location was appropriately located. Simon noted that all of this will be revisited by the Planning Board at their hearing. Mark W. suggested this condition be added to the decision.

Carol Driscoll asked if the sign was going to be on Sheriff's Meadow property, Shawn said it would be within the easement/right of way and located on Sheriff's Meadow's land. She requested that Sheriff's Meadow be the name at the top of the sign. Shawn agreed that alphabetical order could make sense, and that additional internal signage be added inside the neighborhood to identify each property's location.

Shawn agreed that the sign could list the neighborhoods alphabetically and the interior signs would have street names and numbers.

Mark W. closed the hearing at 7:47. Kristin moved to close the hearing, Mark. B. seconded. The board voted unanimously by roll call to close the hearing.

No further discussion.

Mark B. moved and Stephano seconded to approve the sign with the following conditions:

1. The names of the residences shall be the same size, not to exceed 3", other lettering may be smaller
2. The sign shall be located in substantial conformity with the site plan and subject to the review and approval of the Town Planner or their agent
3. The names of the neighborhoods shall be alphabetized

Roll call vote, unanimously approved. Simon will draft the Special Permit decision for the Board's review.

Variance Request

Mark W. opened the public hearing and read the attached public notice at 8:01pm.

Shawn presented the details of the application rationale for the request for a variance to allow for a construction trailer approximately 64' x 12'. The application included an illustration and a plan with the location of the requested trailer. He noted that the entire team will be onsite and need multiple offices for management and staff numbering at least 4 people. He was told he could have multiple trailers but would prefer one large trailer.

Trailer will be located in rear corner of the development on the Route 111 construction access road and will not need to be relocated during the entire construction process. He also requested that the trailer be removed prior to the issuance of the last certificate of occupancy.

Michael noted that the bylaw does not allow the trailer to be used for real estate sales purposes.

Public comments: None

Kristin moved, Michael seconded to close the public hearing, unanimously approved by roll call vote.

Further discussion: concern about inactivity or if the project is derailed by changes in the economy.

Mark B moved and Michael seconded to approve the variance for a trailer up to 720 sq ft subject to the conditions in bylaws. Roll call vote, unanimously approved.

Mark B reported on a conversation with Bentley regarding the new used car business which came before the board. Bentley is doing a great job managing the project and found the applicant has been very easy to work with.

Discussed alternate members and the need for at least two should a PB decision be appealed. Chris Habersaat needs to be asked if he would consider signing up again, and others need to be considered. Agreed to ask Select Board to solicit volunteers and the board will also be on the lookout. Kristin suggested that prior Planning Board and ZBA members be tapped to see if they're willing to serve, these people would already be familiar with the bylaws and the process. Mark W. stated that alternate members should attend meetings, similar to how Stephano approached serving.

Carol Driscoll asked what the process for the sign application approval entails and if the abutters will be notified of the decision. Simon offered to email it to Carol when it was filed. She also voiced her

concern that it wasn't clear when the public could participate in the discussion and felt that she had missed the opportunity due to a misunderstanding of the process. Mark W. apologized on behalf of the board.

Upcoming meeting date: August 28, 2020

Michael moved and Mark B seconded to adjourn the meeting at 8:32, roll call vote, approved unanimously.