



Town of Boxborough, Massachusetts
Planning Department
Staff Report – Site Plan Approval & Special Permit

Prepared by: Adam Duchesneau, AICP, Town Planner

January 20, 2017

Site: 700, 750, & 800 Massachusetts Avenue

Applicant and Owner 1 Name: Boxborough Town Center, LLC
Applicant and Owner 1 Address: P.O. Box 985, Acton, MA 01720
Owner 2 Name: Mane Realty Trust, John J. Lyons, Trustee
Owner 2 Address: 571 Burroughs Road, Boxborough, MA 01719
Engineer Name: Stamski and McNary, Inc.
Engineer Address: 1000 Main Street, Acton, MA 01720

Legal Notice: In accordance with Boxborough Zoning Bylaw Section 8000 Site Plan Approval, Section 4800 Special Permit for Alternate Access, Section 6103 Multiple Buildings on One Lot, Section 9200 Special Permits, the Site Plan Approval Rules & Regulations, MGL Chapter 40 Section 15C, and the Boxborough Stone Walls Bylaw, the Planning Board will conduct a public hearing on Monday, January 23, 2017 at 7:45 PM in the Upstairs Meeting Room in the Boxborough Town Hall, 29 Middle Road, to review the application submitted by Boxborough Town Center, LLC for Site Plan Approval, Stone Wall Alteration, and a Special Permit to construct approximately 50 two-family dwellings (100 units of housing) reserved exclusively for elderly occupancy with an associated clubhouse with amenities, signage, private driveways, public water supply, wastewater treatment, drainage, and site grading.

The subject properties are located on the south side of Massachusetts Avenue and are addressed as 700, 750, and 800 Massachusetts Avenue; Assessor's Parcel Numbers 14-208-000, 14-210-000, and 14-209-000.

Zoning District(s): Town Center and Wetlands and Watershed Protection District
Zoning Approval Sought: Multiple Buildings on One Lot under Section 6103, Site Plan Approval under Section 8000, and a Stone Wall Alteration Permit under the Stone Walls Bylaw
Date of Application: December 23, 2016
Date(s) of Public Hearing: January 23, 2017

I. Project Description

1. Subject Property: The project site is located in central Boxborough on the south side of Massachusetts Avenue/Route 111 just west of its intersection with Stow Road, primarily within the Town Center Zoning District. The site involves three existing parcels where the construction will occur. These parcels total approximately 59 acres and roughly 785 feet of frontage along Massachusetts Avenue/Route 111. One of the parcels also has approximately 50 feet of frontage on Priest Lane on its southern boundary (where a stone wall is also located) and another parcel has almost 150 feet of frontage on Burroughs Road. The frontage along Burroughs Road is actually within an Agricultural-Residential

Zoning District which extends back from the roadway approximately 150 feet before turning into the Town Center Zoning District.

The project site also involves what is being called Parcel A, a five-acre piece of land on the west side of the subject property which the Applicant/Owner has under agreement with the current owner to acquire and incorporate into the proposal. The Applicant/Owner also has a 50-foot-wide easement which connects the eastern portion of the property to Stow Road between the Tisbury Meadow and Sheriff's Meadow senior housing developments. There is currently one single-family dwelling on the project site on the parcel known as 700 Massachusetts Avenue which has a private well and direct access onto Massachusetts Avenue/Route 111. There is also a detached barn located in the southeastern portion of the site near the rear property boundary of 145 Stow Road. A second curb cut and driveway on the property are located in the northwest portion of the site and provide access onto Massachusetts Avenue/Route 111. A significant wetland area with a sizeable fire pond covers much of the eastern side and central portion of the property beginning along Massachusetts Avenue/Route 111 and stretching well back into the site. A small piece of the wetland area actually extends further west to the property boundary, bisecting the subject site. The remainder of the property outside of the wetland area is primarily covered with forested vegetation.

2. Proposal: The project involves razing the existing single-family dwelling and barn on the property, and constructing 50 two-family dwellings (100 units) reserved exclusively for elderly occupancy, a clubhouse, a water treatment building, and a wastewater treatment facility. The project will be a condominium served by a private driveway network. Primary access will be from the site's legal frontage on Massachusetts Avenue/Route 111 and two gated emergency access driveways are proposed, one from Priest Lane and one from Stow Road. Residents of the project will be served by the development's own public water supply, private wastewater treatment facility, and private clubhouse. Clubhouse amenities will include an outdoor swimming pool, pickleball court, bocce court, and mail center. Each dwelling unit will have a two-car garage and a driveway roughly two car widths wide and one car length deep. The Applicant/Owner is proposing 36 parking spaces for the clubhouse parking area. The project will also contain a sidewalk network throughout the development which will lead out to Massachusetts Avenue/Route 111. The Applicant/Owner will also be providing a five-foot-wide sidewalk along Massachusetts Avenue/Route 111 eastward from the project's entrance/exit drive to Stow Road. The entrance/exit drive will be doubled barreled with an island in the center where a free standing sign identifying the development will be located. A portion of the embankment along Massachusetts Avenue/Route 111 to the east of the entrance/exit drive will be removed to create better sight lines for vehicles exiting the development.

3. Nature of Application: Section 8002 of the Boxborough Zoning Bylaw states that no permit for construction or occupancy which results in the substantial alteration of an existing building or lot shall be issued for multiple dwelling residential structures (as well as many other uses) unless Site Plan Approval has been granted by the Planning Board. Section 6103 of the Zoning Bylaw indicates that where one or more than one building is proposed to be built upon a lot, the plan shall be reviewed by the Planning Board who shall make a finding with respect to the adequacy of ways furnishing access to each building site, and make recommendations to the Inspector of Buildings to provide for access in the same manner as otherwise required for lots in a subdivision. Lastly, the Stone Walls Bylaw indicates the removal, tearing down, or destruction of stone walls within or on the boundary of Town ways requires approval from the Planning Board.

4. Surrounding Neighborhood: The project site is located primarily within the Town Center Zoning District on the south side of Massachusetts Avenue/Route 111 approximately 300 feet west of its intersection with Stow Road. To the north across Massachusetts Avenue/Route 111 is the multi-family Carriage House condominium building, auto motive repair businesses, and a landscaping company. To the west are single-family dwellings with access directly onto Massachusetts Avenue/Route 111 and some which are part of the Hughes Lane subdivision roadway. Along the project site's southern boundary are

multiple single-family dwellings on Burroughs Road and Priest Lane. To the property's east are additional single-family dwellings along Stow Road as well as 20 units of senior housing in two-family buildings in the Tisbury Meadow and Sheriff's Meadow developments. There is also a commercial property which abuts the project site with three small buildings and to associated parking lots. Across Massachusetts Avenue/Route 111 to the northeast is the United Church of Christ Congregational and Town Hall.

5. Comments:

Board of Selectmen: The Board of Selectmen has not provided any comments regarding the proposed project.

Board of Health: In two emails to the Town Planner on January 19, 2017, the Board of Health Agent provided the following comments and questions:

- 1) The proposed pool will be considered a semi-public pool and its construction will require prior approval from the Board of Health. Once construction, and prior to use, it will need a permit to operate from the Board of Health.
- 2) The treatment plant building should be constructed of materials that will not require the major reconstruction of the plant and possibly affect the treatment works contained within. The plant must have appropriate odor controls to prevent the migration of odors to the abutting properties.
- 3) The drainage areas should be designed to minimize standing water to reduce potential mosquito breeding.
- 4) Only Non-perchlorate blasting materials should be used on site.
- 5) All wood waste (stumps/slash) generated from the site must be disposed of properly (no on site disposal).
- 6) The applicant must obtain an approved Groundwater Discharge permit from DEP prior to the approval of building permits for the site.
- 7) The applicant must obtain an approved water supply from the DEP prior to the issuance of building permits for the site.
- 8) In order to determine the potential effects of the proposed water supply on the abutting wells, the pump testing done on the abutting wells, and interpretation of the results, should be submitted for review.
- 9) I would not recommend additional wells (irrigation) be approved for the site.

Most senior housing development units have been limited to two bedrooms and have had language limiting their occupancy (in part this was done because of the reduced sewage flow Title 5 allows for these units (150 gallons/day versus 220 gallons/day for a normal two bedroom unit)). There are 30 three bedroom units proposed in the development, will their occupancy be limited? The sewage flow calculations for these units accounts for a normal three bedroom flow (330gpd).

Building Department: In an email to the Town Planner on January 4, 2017, the Building Inspector indicated he had the following questions and comments about the proposed project:

- 1) Is the proposed stone wall over four feet from the bottom of footing to the top of the wall? If so they would require the wall to be engineered by a design professional to protect against overturning.
- 2) If the wall is retaining in [excess] of 24" inches of unbalance fill this shall be engineered by a design professional to ensure stability against overturning.
- 3) Will any of the buildings/units accommodate handicapped?
- 4) Will there be accessory structures such as garages or sheds?
- 5) What methods of construction will be used, assumed roof truss? (meaning stick build or panelized wall system, exterior walls only).

- 6) It is not required that they sprinkle the units as they propose duplex homes. But how close will the individual homes be to one another?
- 7) Will they have a model unit?
- 8) I noted that they are using Silver line Andersen Windows, this is typically a low grade vinyl window.

Conservation Commission: The Commission discussed the proposed project at their meeting on January 4, 2017 and indicated an NOI filing will be required for the wetland crossing.

Consulting Engineer: The Town's Consulting Engineer, Places Associates, Inc., has not provided any comments regarding the proposed project.

Design Review Board: At the Design Review Board meeting on January 18, 2017, the Board provided the following comments about the proposed project:

- The proposed project name of "Regency at Boxborough" should be changed as it will cause confusion and potentially create a public safety issue as the Holiday Inn was recently renamed the "Boxboro Regency."
- It is recommended the staggering depth of adjacent dwellings units from front to back be more pronounced.
- Lighting for the project should comply with the requirements of the Zoning Bylaw and not spill onto the adjacent properties.
- More variation in the proposed color schemes for the horizontal siding was requested. There should be a distinct color differentiation between each of the two-family buildings.
- The garage doors should incorporate additional detailing or design which helps to create the appearance of two separate doors as opposed to one large door.

Fire Department: In an email to the Town Planner on January 19, 2017, the Fire Chief provided the following comments:

"After reviewing the purposed Senior Housing Development at 700, 750, & 800 Massachusetts Avenue, I have a couple public safety issues and concerns.

1. A single means of open ingress and egress for a development of this size with two gated emergency access is an undesirable solution that could have significant consequences to life and property. In the event of a fire, the roadway would most likely be closed, due to apparatus placement, and laying of hose. This would greatly impact the safety and wellbeing of residents within this development. Also, given the density of the project and the proximity of the houses, mutual aid would be requested to help protect adjacent structures during a fire. If the purposed emergency access gates are chained or padlocked, this would require emergency responder's to exit their vehicle, unlock a Knox Box to access the keys, and then open the gate creating a significant delayed in mutual aid. This further emphasizes why only one entrance is undesirable. I recommend that all purposed emergency gated access roads be constructed as fully functional roadways.
2. Are vehicles going to be allowed to be parked within roadway? If so, to the density of the project and the close proximity of the units, vehicles parking in the roadway pose safety issues for emergency vehicles, especially during winter months.

These are my concerns for now but, reserve my right to address any other issues that might arise as this project progresses."

Historical Commission: The Historical Commission has not provided any comments regarding the proposed project.

Housing Board: The Housing Board has not provided any comments regarding the proposed project.

Littleton Electric Light Department (LELD): In two emails to the Town Planner on January 17, 2017, LELD indicated the following (please see the attached drawings for the proposed transformer locations):

“Please see the attached drawings of LELD’s proposed design. Please note that this is only a preliminary design and may change before the site work begins. Also, in a few locations throughout the development LELD is requesting that the gas service flips to the opposite side of the proposed underground electrical secondary locations. Those locations are shown on the drawing.



We also will need to reconstruct the Sheriff’s Meadow Condo entry off of Stow Rd. so that we can bring three-phase power to the wastewater treatment facility. This design is not shown on the drawings.

The transformers are approximately 3’ by 3’ by a little over 2’ tall. The transformers will sit on a buried pad similar to the image below. Unfortunately, the transformers cannot be placed underground and there is no way around the eyesore.”

Police Department: In an email to the Town Planner on January 19, 2017, the Police Chief provided comments regarding the project in a memorandum which is attached to this Staff Report.

Public Works Department: In an email to the Town Planner on January 3, 2017, the Public Works Director indicated the following:

“I have two concerns one is the water runoff from the Private drive (C) on to Priest lane and will all Emergency gates be plowed out after every storm.”

School Committee: The School Committee has not provided any comments regarding the proposed project.

II. Compliance with Section 6103 Multiple Buildings on One Lot

Where one or more than one building is proposed to be built upon a lot, the plan shall be reviewed by the Planning Board who shall make a finding with respect to the adequacy of ways furnishing access to each building site, and make recommendations to the Inspector of Buildings to provide for access in the same manner as otherwise required for lots in a subdivision.

The proposed project calls for the internal private roadways of the project to be 24 feet in width. This is the same minimum pavement width called for in the Town’s Rules & Regulations Governing the Subdivision of Land for the construction of new roadways which serve between 51 and 120 units. Additionally, the gated emergency access roadways would allow for more than one access point for

emergency service vehicles to use during an incident. Therefore, the ways providing access to each building site are adequate for the project.

III. Compliance with Section 8007 Site Plan Approval Decision

The Applicant has submitted plans consistent with Sections 8005 and 8006 of the May 2012 Boxborough Zoning Bylaw and the Site Plan Approval Rules & Regulations. Site Plan Approval shall be granted upon determination by the Planning Board that new buildings or other site alterations have been designed in the following manner, after considering the qualities of the specific location, the proposed land use, the proposed building form, grading, egress points, and other aspects of the development. The Planning Board should review the proposed project for consistency with the following Site Plan Approval Requirements of the Zoning Bylaw:

1. The proposal shall comply with the purpose and intent of the Zoning Bylaw and with existing local and regional plans.

The Applicant/Owner has achieved a zoning freeze of the May 2012 Zoning Bylaw per a Definitive Subdivision Plan Decision filing with the Town Clerk in April of 2014. As such, the May 2012 version of the Zoning Bylaw is being used to review this project for compliance.

The Town Center Zoning District calls for the densest development of any zoning district in Boxborough. This is clearly evident as the Town Center district has the smallest minimum lot size requirement, the shortest amount of minimum frontage, the narrowest amount of minimum lot width, and the smallest minimum setback requirements of any zoning district. All of these dimensional requirements are intended to create more dense development than in other parts of the community. However, the Town Center district is also the only zoning district which calls for a minimum amount of open space; a metric which is not required in any other zoning district. The proposed project achieves this type of development style by clustering buildings together on the property while maintaining larger tracks of open space. However, it should also be noted here the large portions of open space proposed to be preserved are primarily wetland areas and their buffers, which, due to the Town's Wetland Bylaw, cannot be disturbed for the most part. Therefore, the Applicant/Owner did not necessarily choose to preserve these areas as open space, but was essentially required to do so per the Town's Wetland Bylaw.

There also appear to be some deficiencies in the proposed project as it relates to the Zoning Bylaw. The proposed plan calls for 36 parking spaces adjacent to the clubhouse for the project. Section 6006 Parking Schedule indicates that "Clubs, Lodges and Association Buildings" must provide one parking space for every two memberships. If the project is proposing 100 units of housing, there should be at least 50 parking spaces provided adjacent to the clubhouse building. Additionally, per Section 5006 of the Zoning Bylaw, it appears the entry piers on either side of the entrance/exit drive should be setback at least 37.5 feet from the front setback.

The Town's Master Plan (Boxborough2030) and Housing Production Plan both identify a need for moderately priced senior housing units in the community. At an earlier public meeting for the proposal, a member of the project team indicated each unit would sell for around \$400,000. Additionally, while not required, the project does not provide any deed restricted affordable units. If these items still hold true, they would not be consistent with Boxborough2030 or the Housing Production Plan, which call for much more moderately priced senior housing units in the community.

The Applicant/Owner should address each of the items above before the Planning Board renders a decision on the application.

2. The development shall be integrated into the existing terrain and surrounding landscape and shall be designed to protect abutting properties and community amenities. To the extent possible, building sites shall be designed to minimize the use of wetlands, steep slopes, floodplains, hilltops; minimize obstruction of scenic vistas from publicly accessible locations; preserve unique natural, scenic and historic features; minimize tree, soil and vegetation removal; and maximize open space retention.

The proposed development has been designed to locate the dwellings in the upland area of the property, which is primarily in the south, southwestern, and southeastern portions of the project site. The proposed project will only disturb small portions of the wetland and 100 foot buffer to provide access from Massachusetts Avenue/Route 111 to the southern portion of the project site. Other smaller disturbances of the 100 foot buffer area will be necessary for some of the grading for the stormwater management areas. Only 20% of the project site will become impervious surface and the remaining 80% will allow for water to infiltrate the lot (with the exception of sidewalks). The large wetland area and its vegetation will remain primarily undisturbed, except for the roadway crossing of a small portion of wetland area. Further, the existing terrain elevations have been used as much as possible to help minimize the amount of grading which will need to occur at the property.

Tree removal has not been minimized as large swaths of the existing vegetation, primarily trees, will be removed to make way for construction of the project. In the south, southwestern, and southeastern portions of the project site, vegetation will be cleared right up to the property line. The Applicant/Owner should investigate the ability of any of the trees on the interior of the project site to be preserved and incorporated into the development. Additionally, the Applicant/Owner should explore the ability to implement new vegetation along the south, southwestern, and southeastern property lines to replace some of the vegetation which is proposed to be removed. Adding new vegetation will help to preserve some of the existing screening to the abutting properties which is currently in place. These items should be addressed by the Applicant/Owner prior to the Planning Board rendering a decision on the application.

3. Architectural style shall be in harmony with the prevailing character and scale of buildings in the neighborhood and the Town through the use of appropriate building materials, screening, breaks in the roof and wall lines, and other architectural techniques. Proposed buildings shall relate harmoniously to each other.

The proposed buildings, in terms of massing and roof pitch, are in keeping with other structures in the area which are also primarily one- and two-story, gable roofed buildings. Additionally, the proposed location of the vast majority of the dwellings and the large wetland area and its vegetation which will be retained, should make most of the development minimally visible from any public roadway. The Colonial-like style of the proposed buildings with architectural roof shingles, vinyl siding, and stone veneers relate well to other buildings in the area. While not ideal, the vinyl siding does mimic a clapboard style siding and also will contain an appropriate exposure of around 4.5". The structures themselves have adequate variation in materials and depth to provide a quality appearance. The variety of styles of the two-family dwellings will also help to create more of a "town center" feel to the project. However, as was noted by the Design Review Board, the proposed color palettes for the project should have a wider discrepancy between the primary colors for the horizontal siding, which make up vast majority of the facades. The proposed windows, while low grade, do call for a Colonial grill pattern which should enhance the project's aesthetics.

4. Adequate measures shall be proposed to prevent pollution of surface and ground water, to minimize erosion and sedimentation, to prevent changes in groundwater levels, to minimize potential for flooding, and to provide for stormwater drainage consistent with the functional equivalent of the Planning Board's Subdivision Rules & Regulations.

The Applicant/Owner has submitted a Stormwater Management Report and a Stormwater Management Operation and Maintenance Manual. The Applicant/Owner has indicated the project has been designed to

meet the contemporary standards and safeguards related to protection of water resources. They contend the potential impacts associated with stormwater runoff shall be mitigated by fulfilling the design standards outlined in the Massachusetts Stormwater Handbook. The stormwater runoff produced from the parking area and access driveways will be collected in deep sump/hooded catch basins. The runoff will then be directed to multiple infiltration basins and/or subsurface infiltration chambers for partial recharge. A private wastewater treatment facility will be constructed on the site and in accordance with 310 CMR 5.00. A Drainage System Operation and Maintenance Plan, as well as Erosion and Sediment Control Notes have been included in the design to mitigate potential erosion during and post construction. The Applicant/Owner contends the water table shall be maintained with recharge being provided through the sewage disposal system and subsurface infiltration basins and chambers. The Applicant/Owner also claims adjacent properties will not be affected by stormwater runoff from the site as the design meets Stormwater Management Policy standards. However, at this time, the Town Planner has not received any comments from the Town's Consulting Engineer and it is recommended the Planning Board wait to receive these comments prior to issuing a decision on the application.

5. Roadways and circulation system shall be designed to promote convenience and safety for both pedestrians and vehicles. Access roads by which the proposed development is reached shall be adequate in width, grade and construction to carry, without danger or congestion, the additional traffic that is generated from the development.

The Applicant/Owner has submitted a Traffic Impact and Access Study with the application materials. At this time, the Town is working to contract with a Traffic Consulting Engineer to conduct a peer review analysis of the Impact and Access Study. It is highly recommended the Board wait to hear back from the Traffic Consulting Engineer regarding a peer review of the Impact and Access Study prior to issuing a decision for the application.

The roadway layout for the development has been designed to take vehicles off of Massachusetts Avenue/Route 111 and filter them back into the loops and spurs of the interior roadways of the project. The plan set for the internal private roadways of the project calls for a paved roadway width of 24 feet. This is the same minimum pavement width called for in the Town's Rules & Regulations Governing the Subdivision of Land for the construction of new roadways which serve between 51 and 120 units. However, the Fire Chief has expressed concerns about the width of this roadway and the access points to the project site in general. These concerns are discussed in greater detail later in the Staff Report.

The proposed location of the entrance/exit drive may conflict with the driveway of the landscaping business directly across Massachusetts Avenue/Route 111 to the north. Just 60 feet further to the east is another driveway for a highly active automotive repair and towing business. Each of these businesses may have a significant amount of traffic going to and from their properties each day. Additionally, the Police Chief expressed concerns about the location of the proposed entrance/exit drive in the memorandum he submitted to the Town Planner. He feels there are public safety concerns related to introducing a new access point on Massachusetts Avenue/Route 111 with limited visibility. It is recommended the Board wait for feedback from the Traffic Consulting Engineer before making a determination about this aspect of the project.

The proposed project also calls for a sidewalk on one side of all roadways in the development, however, there appear to be some deficiencies in the design. As one exits the clubhouse building, the sidewalk should continue northward, as well as southward, around the parking area and reconnect back to the sidewalk along the east side of the main access roadway via a second crosswalk north of the existing one shown on the plan set. Additionally, where the sidewalk intersects with driveways in the project, there is no delineation on the asphalt as to where pedestrians should be walking. A 5 foot wide stamped asphalt area should be implemented where the sidewalk traverses this 40 plus feet of unmarked pavement area. While the Applicant/Owner is proposing to extend the sidewalk from the entrance/exit roadway eastward to Stow Road along Massachusetts Avenue/Route 111, the sidewalk should also be extended westward to

the western most property boundary to help further the Town's goal of creating a sidewalk for the entire length of Massachusetts Avenue/Route 111 between the Harvard and Acton town lines. Additionally, the sidewalk which runs throughout the development should be extended to connect to Priest Lane and the Applicant/Owner should implement an easement over the sidewalk between Massachusetts Avenue/Route 111 and Priest Lane to allow the public to use this network as a pedestrian pathway to Massachusetts Avenue/Route 111. Furthermore, some type of bicycle parking accommodations should be provided for around the clubhouse at the property to help encourage multi-modal transportation options.

6. Adequate buffers shall be provided to protect abutting properties from lighting, sight, sound, dust, and vibration.

Tree removal for the project has not been minimized as large swaths of the existing vegetation will be removed to make way for construction of the development. In the south, southwestern, and southeastern portions of the project site, vegetation will be cleared right up to the property line. The Applicant/Owner should investigate the ability of any of the trees on the interior of the project site to be preserved and incorporated into the development. Additionally, the Applicant/Owner should implement new vegetation along the south, southwestern, and southeastern property lines to replace some of the vegetation which is proposed to be removed. Adding new vegetation will help to preserve some of the existing screening to the abutting properties which is currently in place.

In the northwestern portion of the site, the existing tree line to be retained along the western property boundary is inaccurate in the plan set. The vegetation in this location has already been entirely cleared well back from Massachusetts Avenue/Route 111. This portion of the plan set should be revised to reflect the current actual tree line and to provide additional, denser screening between the bocce court and pickleball court, and the abutters to the west. Furthermore, LELD has provided a draft plan of where the transformers for the project will be located. The Applicant/Owner should revise and update their Landscape Plan to implement screening around these proposed transformers where possible.

Six street lights on ten foot high poles have been proposed for the project. However, no other exterior light fixtures or their locations have been displayed in the plan set. The Applicant/Owner should provide the proposed locations and cut sheets for all exterior light fixtures in the project, including those on the facades of the buildings. A Lighting Plan should also be submitted for at least the perimeter of the project site to ensure the light fixtures do not cast light beyond the property lines. Additionally, the Town Planner is proposing a condition which would require all exterior lighting to be confined to the subject property and must not intrude, interfere, or spill onto neighboring properties. The items above should be addressed by the Applicant/Owner prior to the Planning Board rendering a decision on the application.

7. Adequate facilities shall be provided for water supply and for handling and disposal of waste and other production by-products.

The project will have its own water treatment building and a wastewater treatment facility on-site. The Applicant/Owner has initiated the approval of a proposed public water supply with the Massachusetts Department of Environmental Protection (MassDEP) for the site. Two existing wells have been installed along the northwesterly lot line just north of the intermittent stream which crosses the property. The Applicant/Owner has also obtained a Purchase and Sale Agreement for Parcel A, from the abutter, relative to future Zone 1 protections adjacent to these wells. The Board of Health Agent has proposed a number of conditions for the project including requiring the Applicant/Owner to submit evidence of an approved Groundwater Discharge Permit and water supply from MassDEP. All conditions proposed by the Board of Health Agent have been included as proposed conditions at the end of this Staff Report. At this time, the Town Planner has not received any comments from the Town's Consulting Engineer and it is recommended the Planning Board wait to receive these comments prior to issuing a decision on the application.

8. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment.

The Fire Chief has noted that a single means of open ingress and egress for a development of this size with two gated emergency access roadways is an undesirable solution which could have significant consequences to life and property in the project. In the event of a fire, the roadway would most likely be closed due to apparatus placement and the laying of hose. This would greatly impact the safety and well-being of residents within this development. The Fire Chief also indicated that given the density of the project and the proximity of the houses to one another, mutual aid would be requested to help protect adjacent structures during a fire. If the proposed emergency access gates are chained or padlocked, this would require emergency responder's to exit their vehicle, unlock a Knox Box to access the keys, and then open the gate, creating a significant delayed in response time. This further emphasizes why only one full access entrance is undesirable. The Fire Chief recommends that all proposed emergency access gated roads be constructed as fully accessible roadways.

The Fire Chief has also asked for clarification as to whether or not vehicles will be allowed to park on the roadways within the project. If so, due to the density of the project and the close proximity of the units to one another, the Fire Chief feels that vehicles parked in the roadway would pose safety issues for emergency vehicles, especially during the winter months. These items should be addressed by the Applicant/Owner in consultation with the Fire Chief prior to the Board issuing a decision on the application.

9. Architectural Standards in the Town Center District Only. Materials shall be harmonious with existing buildings. In the interest of maintaining a sense of history, vertical siding shall be discouraged and synthetic siding shall imitate the character and dimensions of traditional clapboards. Masonry block buildings should be faced in an appropriate material, such as horizontal wooden siding or brick of a traditional red color. Buildings shall fit in with existing architecture in terms of height, massing, roof shapes, and window proportions.

The proposed buildings, in terms of massing and roof pitch, are in keeping with other structures in the area which are also primarily one- and two-story, gable roofed buildings. The Colonial-like style of the proposed buildings with architectural roof shingles, vinyl siding, and stone veneers relate well to other buildings in the area. While not ideal, the vinyl siding does mimic a clapboard style siding and also will contain an appropriate exposure of around 4.5". The structures themselves have adequate variation in materials and depth to provide a quality appearance. The variety of styles of the two-family dwellings will also help to create more of a "town center" feel to the project. However, as was noted by the Design Review Board, the proposed color palettes for the project should have a wider discrepancy between the primary colors for the horizontal siding, which make up vast majority of the facades. The proposed windows, while low grade, do call for a Colonial grill pattern which should enhance the project's aesthetics.

IV. Compliance with the Stone Walls Bylaw

The Applicant/Owner has noted they will be removing a portion of the stone wall along the property's frontage on Priest Lane. Almost 55 feet of the stone wall will be disturbed but the proposal calls for a final opening width of 32 feet. This is a substantial opening for an emergency access roadway which only has a pavement width of 20 feet. The Town Planner is recommending the final width of the opening in the stone wall be 24 feet. The remaining portions of the stone wall should be kept as close as possible to the emergency access roadway and any stones which are removed should be reincorporated into the remaining wall. Proposed conditions reflecting this have been included at the end of this Staff Report.

V. Recommendation

Multiple Buildings on One Lot under Section 6103, Site Plan Approval under Section 8000, and a Stone Wall Alteration Permit under the Stone Walls Bylaw

The Town Planner is recommending the hearing for this matter be continued to the Planning Board meeting on Monday, February 27, 2017 to allow time for the Planning Board to engage a Traffic Consulting Engineer, to solicit additional or follow up comments from various Town boards or departments, receive responses from Town Counsel regarding different inquiries, and to allow the Applicant time to address the issues raised in this Staff Report or respond to comments from Town boards or departments. The Town Planner is also recommending the following draft conditions be considered for inclusion by the Planning Board when a final decision is rendered for the application:

1. Approval is based upon the following Plans and Documents:
 - a. To Be Determined
2. **Prior to the issuance of any Building Permit**, the Applicant/Owner shall record the Decision with the Middlesex South Registry of Deeds and provide verification of recording to the Town Planner.
3. **Prior to the issuance of any Building Permit**, the Applicant/Owner shall submit written confirmation from the Tax Collector that all taxes, including any roll back taxes, have been paid in full for the properties.
4. **Prior to the issuance of any Building Permit**, the Applicant/Owner shall receive an Order of Conditions, or Superseding Order of Conditions, issued under the Wetlands Protection Act and be subject to any conditions placed on the project and provide a copy of a recorded Order of Conditions, or Superseding Order of Conditions to the Building Inspector.
5. **Prior to the issuance of any Building Permit**, the Applicant/Owner shall install any erosion control barriers as may be required by the Order of Conditions or Superseding Order of Conditions.
6. **Prior to the issuance of any Building Permit**, the Applicant/Owner shall obtain an Earth Removal Permit from the Planning Board if necessary under the Earth Removal Bylaw.
7. **Prior to the issuance of any Building Permit**, the Applicant shall receive a Driveway Approach Permit from the Public Works Director.
8. **Prior to the issuance of any Building Permit**, the Applicant/Owner shall address the following Board of Health conditions:
 - a) The Applicant/Owner must obtain an approved Groundwater Discharge Permit from MassDEP and submit evidence of this approved permit to the Board of Health.
 - b) The Applicant/Owner must obtain an approved water supply from the MassDEP and submit evidence of this approval to the Board of Health.
 - c) The proposed pool will be considered a semi-public pool and its construction will require prior approval from the Board of Health. Once construction, and prior to use, it will need a permit to operate from the Board of Health.
 - d) The treatment plant building should be constructed of materials that will not require the major reconstruction of the plant and possibly affect the treatment works contained within. The

- plant must have appropriate odor controls to prevent the migration of odors to the abutting properties.
- e) Drainage areas should be designed to minimize standing water to reduce potential mosquito breeding.
 - f) In order to determine the potential effects of the proposed water supply on the abutting wells, the pump testing completed on the abutting wells and interpretation of the results should be submitted to the Board of Health for review.
9. **Prior to the installation of the roadway binder course for the emergency access roadway to Priest Lane**, the Town Planner shall confirm the following:
- a) A maximum roadway width of 20 feet;
 - b) A maximum of 24 feet of stone wall removal, and;
 - c) Any stones removed from the stone wall shall be reincorporated into the remaining stone wall.
10. All traffic to and from the subject properties, construction vehicles or otherwise, during the construction process shall only be from Route 111/Massachusetts Avenue.
11. On-site construction trailers shall comply with Section 7602 of the May 2012 Zoning Bylaw.
12. All utilities for the project shall be located underground.
13. **Prior to the issuance of any Certificate of Occupancy**, the Applicant/Owner shall submit to the Town Planner and Town Counsel for review and approval draft condominium documents for the long term maintenance of the private roadways, wells, sewage disposal system, and drainage infrastructure. Once approved, these documents shall be recorded with the Middlesex South Registry of Deeds.
14. **Prior to the issuance of any Certificate of Occupancy**, the Applicant/Owner shall submit to the Town Planner and Town Counsel for review and approval documents which indicate the occupancy of each unit is deed restricted to persons 55 years of age or older, or to a person 55 years of age or older and their spouse and/or live-in aid. Once approved, these documents shall be recorded with the Middlesex South Registry of Deeds.
15. **Prior to the issuance of the final ten (10) Certificates of Occupancy**, the Applicant/Owner shall construct a sidewalk along Route 111/Massachusetts Avenue from the intersection of Route 111/Massachusetts Avenue and Stow Road to the western property boundary of the project site. The sidewalk shall be located within the Route 111/Massachusetts Avenue right-of-way or, if constructed on the subject property, the Applicant/Owner shall grant an easement to the Town of Boxborough to allow public access along this sidewalk.
16. **Prior to the issuance of the final ten (10) Certificates of Occupancy**, the Town Planner shall verify that all plantings shown on the approved Landscape Plan have been installed. Any minor modification or substitutions shall be reviewed and approved by the Town Planner. However, if the Applicant/Owner provides documentation to the Planning Board that it would be detrimental to plant prior to occupancy due to weather conditions, then a bond covering the cost of such work shall be submitted to and approved by the Planning Board.

17. **Prior to the issuance of the final ten (10) Certificates of Occupancy**, the Applicant/Owner shall file an Approval Not Required Application with the Planning Board for review and endorsement which consolidates all of the subject parcels, including Parcel A, for the project into a single lot and provide verification of the recording with the Middlesex South Registry of Deeds to the Town Planner.
18. **Prior to the issuance of the final ten (10) Certificates of Occupancy**, the Town Planner shall verify the width of the opening in the stone wall along the Priest Lane frontage and that the stones removed to create the opening have been incorporated elsewhere in the existing stone wall along Priest Lane.
19. **Prior to the issuance of the final ten (10) Certificates of Occupancy**, the Applicant/Owner shall submit to the Town Planner and Town Counsel for review and approval an easement plan and document which provides public access along the development's sidewalk network between Massachusetts Avenue/Route 111 and Priest Lane. Once approved, these documents shall be recorded with the Middlesex South Registry of Deeds.
20. **Prior to the erection of a freestanding sign at the property**, the Applicant/Owner shall obtain a Special Permit from the Zoning Board of Appeals in accordance with Section 6308(6) of the May 2012 Zoning Bylaw.
21. **Prior to the issuance of the final Certificate of Occupancy**, the Applicant/Owner shall pay all outstanding fees incurred for the Board's consultants including Town Counsel, the Consulting Engineer, and Traffic Consulting Engineer, for the performance of any of the review and inspection services contemplated herein, and including any such fees incurred prior to the date of this Decision. This shall also include an Outside Consultant Building Inspector to assist the Building Department with inspections during the construction and initial occupancy process.
22. **Prior to the issuance of the final Certificate of Occupancy**, the Applicant/Owner shall provide to the Building Inspector final As Built plans showing the location of all buildings and structures, utilities, including the septic system, leaching area, underground piping, and drainage facilities.
23. The Applicant/Owner shall adhere to the following Board of Health conditions:
 - a) The site must be in compliance with the Boxborough Board of Health's Stormwater Bylaws.
 - b) No odor, dust, or noise shall be generated from the site that would cause "a condition of air pollution," as defined by 310 CMR 7.00, Air Pollution Control regulations."
 - c) Any hazardous materials/wastes must be handled in accordance with all Local, State, and Federal laws.
 - d) Wood waste (stumps/slash) generated from the development project must be handled in accordance with the Department of Environmental Protection's Wood Waste Policy and Site Assignment regulations, and shall not be disposed of on-site.
 - e) Any blasting done on-site shall be with non-perchlorate based blasting materials.
24. All existing and proposed landscaping shown on the landscaping plan shall be maintained in a healthy state. Any landscaping found by the Town Planner to be diseased or dying shall be replaced by the condominium association during the next growing season.
25. All maintenance (repair, paving, snow removal, etc.) of the restricted access roadways leading to/from Priest Lane and over the easement area which leads to Stow Road shall be the full

responsibility of the Applicant/Owner. A document which outlines these requirements shall be submitted to the Town Planner and Town Counsel for review and approval, and recorded with the Middlesex South Registry of Deeds.

26. To the extent possible, all exterior lighting must be confined to the subject property, cast light downward at least 15 degrees below horizontal, and must not intrude, interfere or spill onto neighboring properties.
27. Violation of any of the conditions of this Decision shall be grounds for revocation of this Decision, or of any Building or Occupancy Permit granted hereunder. In case of any violation of the continuing obligations of this Decision, the Town will notify the owner of such violation and give the owner reasonable time, not to exceed thirty (30) days, to correct the violation and to enforce the conditions of this Decision. The Town may enforce compliance with the conditions of this Decision by any action of injunctive relief before any court of competent jurisdiction.



BOXBOROUGH POLICE DEPARTMENT
520 Massachusetts Avenue, Boxborough, Massachusetts 01719
Phone: (978) 264-1750 • Fax: (978) 268-5123

To: Adam L. Duchesneau
From: Chief Warren B. Ryder
Date: January 19, 2017
Re: Proposed Development at 700, 750, & 800 Massachusetts Avenue

Attached to this memo you will find my 2013 response to a proposed access road named Patriot Lane for this same area. I wish to echo my continued public safety concerns with introducing access points into a roadway (Massachusetts Avenue – Rte. 111) that has limited visibility. Additional signage will not be enough and significant roadway improvements will be necessary. I am also concerned about the access point through Sheriffs Meadow and how pedestrian traffic will be mitigated.

It would be helpful if the architects of this proposal could meet with my team to explain the plans as submitted.

Sincerely,
Warren B. Ryder
Chief of Police



Town of Boxborough Police Department



Warren B. Ryder
Chief of Police

To: Elizabeth Hughes, Town Planner

From: Warren B. Ryder, Chief of Police

Date: June 7, 2013

Re: Patriot Way

I would like to express my public safety concerns with the proposed plans. I have visited this site and I felt that the access road (Patriot Lane) off of Massachusetts Avenue poses a serious risk to motoring public as is exposed to blind incline to the west and an incline and curve to east. From a public safety standpoint, I would like to see significant site improvements to the roadway that would improve the sight distance of both the vehicles entering and exited the proposed roadway and vehicles travelling on Massachusetts Avenue.

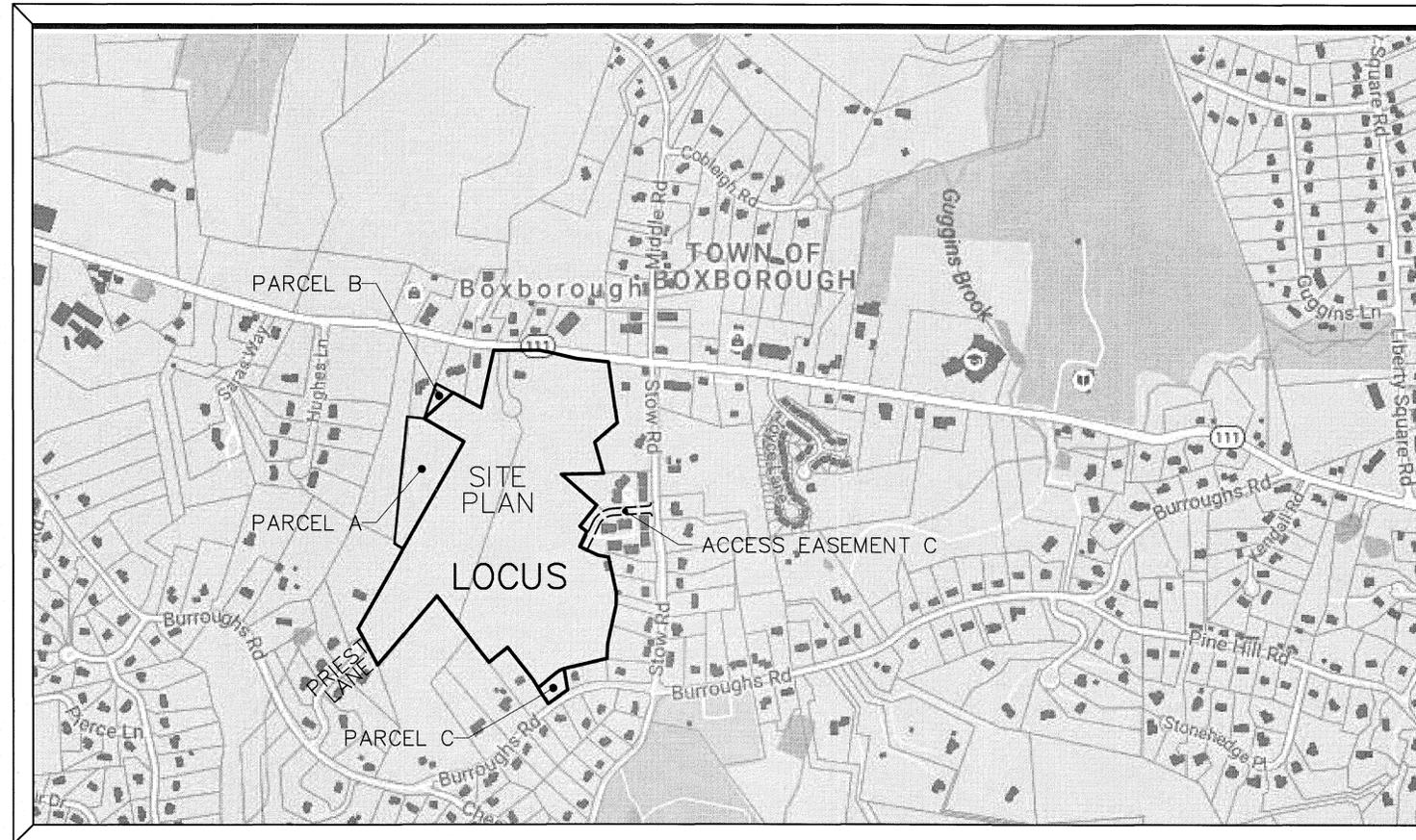
Respectfully Submitted,

Warren B. Ryder
Chief of Police

**SITE PLAN
FOR
REGENCY AT BOXBOROUGH
700 - 800 MASSACHUSETTS AVENUE
BOXBOROUGH, MASSACHUSETTS
DECEMBER 22, 2016**

PLAN INDEX:

SHEET 1	COVER SHEET
SHEET 2	MASTER PLAN
SHEET 3-4	EXISTING CONDITIONS PLAN
SHEET 5-10	SITE DEVELOPMENT PLAN
SHEET 11-15	LAYOUT AND UTILITIES PLAN
SHEET 16-23	PLAN AND PROFILE
SHEET 24-27	CONSTRUCTION DETAILS
SHEET 28-30	STORMWATER POLLUTION PREVENTION PLAN



LOCUS
SCALE: 1"=200'

ZONING DISTRICT:
TOWN CENTER
WETLAND & WATERSHED
OVERLAY DISTRICT

REFERENCE:
MIDDLESEX REGISTRY OF DEEDS
SOUTH DISTRICT
DEED BOOK 27102 PAGE 550
DEED BOOK 19267 PAGE 606

TOWN OF BOXBOROUGH
PROPERTY MAP
ASSESSORS MAP 14, LOTS 46 AND 50
PARCELS 14-046-000 AND 14-050-000

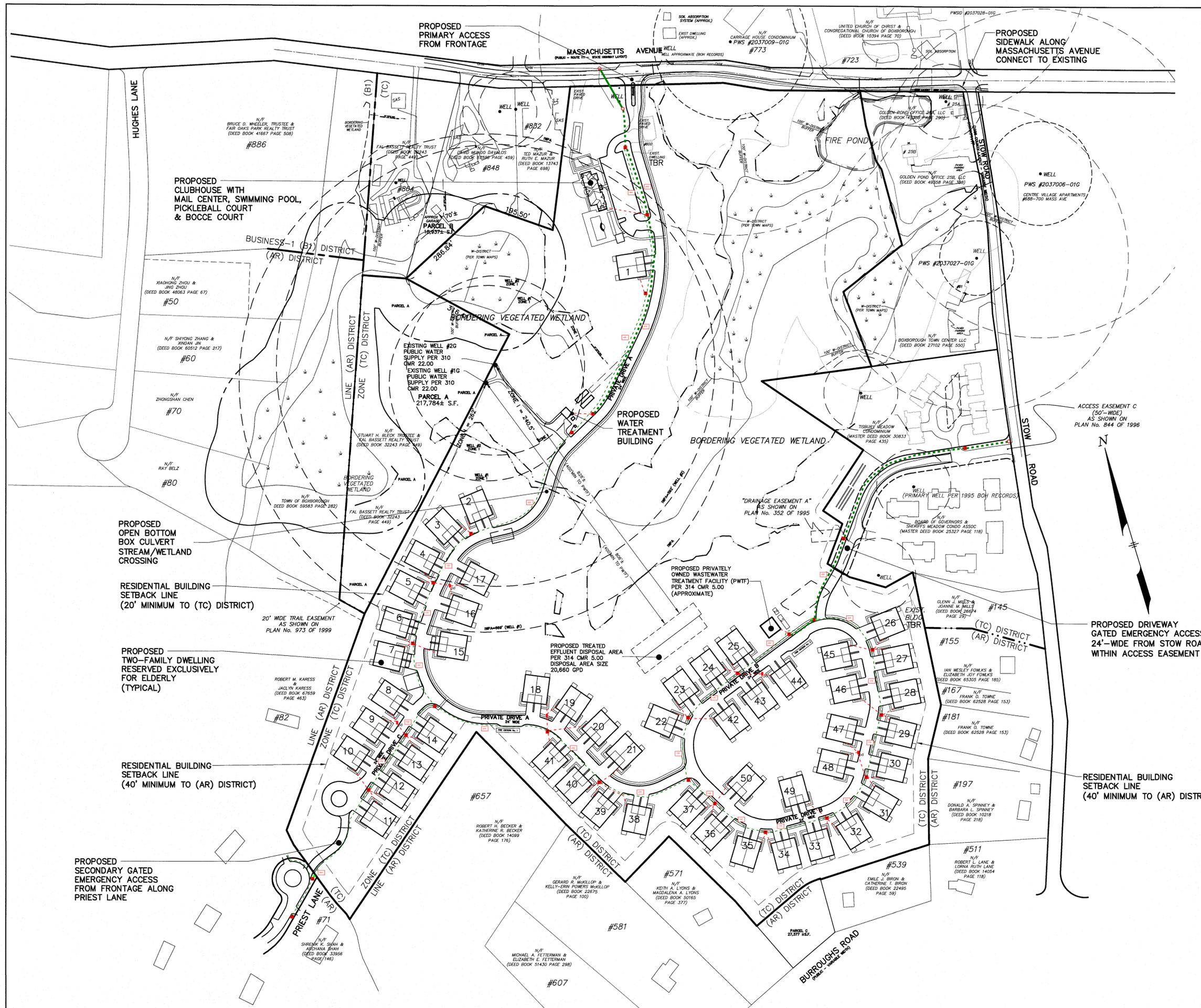
RECORD OWNERS:
BOXBOROUGH TOWN
CENTER, LLC
PO BOX 985
WEST ACTON, MA 01720

MANE REALTY TRUST
TRUSTEE: JOHN J. LYONS
571 BURROUGHS ROAD
BOXBOROUGH, MA 01719

APPLICANT:
BOXBOROUGH TOWN
CENTER, LLC
PO BOX 985
WEST ACTON, MA 01720

ENGINEER/SURVEYOR:
STAMSKI AND MCNARY, INC.
1000 MAIN STREET
ACTON, MA 01720
(978) 263-8585





LAND USE DATA, TOWN OF BOXBOROUGH ZONING BYLAW AMENDED THROUGH TOWN MEETING MAY 2012

ZONING DISTRICT: TOWN CENTER DISTRICT & W-DISTRICT

ARTICLE IV. USE REGULATIONS ALLOWED:
 TWO-FAMILY DWELLING, RESERVED EXCLUSIVELY FOR ELDERLY OCCUPANCY YES*

*REFER TO SECTION 5004(1): FOR MULTI-FAMILY DWELLING IN TC DISTRICT RESERVED EXCLUSIVELY FOR ELDERLY OCCUPANCY, DENSITY NOT TO EXCEED 10 UNITS/80,000 SF LAND AREA

2,519,642/80,000= 31.4 x 10 UNITS= 314 UNITS

MAX DENSITY: 157 DUPLEXES= 314 UNITS
 PROPOSED DENSITY: 50 DUPLEXES= 100 UNITS

ARTICLE V. DIMENSIONAL REQUIREMENTS

	REQUIRED:	PROVIDED:
MIN LOT AREA:	40,000 SF	2,519,642 SF**
MIN UPLAND LOT AREA:	20,000 SF	196,928±SF***
MIN LOT FRONTAGE:	100 FT	785 FT (MASS AVE)
MIN LOT WIDTH:	25 FT	780 FT
MIN FRONT SETBACK (PRIEST LANE)	50 FT	>25 FT
MIN FRONT SETBACK (STOW AND BURROUGHS ROAD)	50 FT	>50 FT
MIN FRONT SETBACK (MASS. AVE)	75 FT	217± FT (CLUBHOUSE)
MIN SIDE & REAR YARD (TC DISTRICT):	20 FT	>20 FT
MIN SIDE & REAR YARD (AR DISTRICT):	40 FT	>40 FT
MAX STORIES:	3	2
MAX BUILDING HEIGHT:	45 FT	<45 FT
MAX LOT COVERAGE (EXCL. SIDEWALKS):	35%	20%
FLOOR AREA RATIO:	NA	NA
MAX BUILDING SIZE (GROSS FLOOR AREA):	8,000 SF	4,851± SF
MIN OPEN SPACE (INCL. SIDEWALKS):	65%	80%

**—SITE AREA EXCLUDES PARCEL A, PARCEL B AND PARCEL C.
 ***—ALONG MASSACHUSETTS AVENUE; 1,191,596± S.F. UPLAND AT PRIEST LANE.

DESIGN FLOW CALCULATIONS

100 DWELLING UNITS HOUSING FOR THE ELDERLY = 10,500 GPD
 70 (2 BDRM) UNITS AT 150 GPD/UNIT = 9,900 GPD
 30 (3 BDRM) UNITS AT 330 GPD/UNIT = 9,900 GPD
 13 CLUBHOUSE LOCKERS AT 20 GPD/LOCKER = 260 GPD
 TOTAL SEWAGE FLOW = 20,660 GPD

PROPOSED APPROVED WITHDRAWALS

EXISTING WELLS - TOTAL FLOW RATE = 20,660 GPD MINIMUM FLOWRATE PER EACH WELL BASED ON ACTUAL FIELD RESULTS

WELL #1 + WELL #2 = TOTAL DESIGN FLOW
 12,096 GPD + 8,640 GPD = 20,736 GPD (> 20,660 GPD OK)

WELL #1 = 8.4 GPM = 12,096 GPD
 WELL #1 - ZONE 1 RADIUS: $[150 \times \text{LOG}(12,096) \text{ GPD} - 350] = 262 \text{ FT}$
 WELL #1 - IWPA = $[(32 \times 8.4 \text{ GPM}) + 400] = 669 \text{ FT}$

WELL #2 = 6.00 GPM = 8,640 GPD
 WELL #2 - ZONE 1 RADIUS: $[150 \times \text{LOG}(8,640) \text{ GPD} - 350] = 240 \text{ FT}$
 WELL #2 - IWPA = $[(32 \times 6.00 \text{ GPM}) + 400] = 592 \text{ FT}$

LEGEND

- UNDERGROUND 3-PHASE PRIMARY
- UNDERGROUND 1-PHASE PRIMARY
- UNDERGROUND SECONDARY
- - TRANSFORMER
- - JUNCTION CABINET
- - OPEN POINT
- pd ■ - SECONDARY PEDESTAL

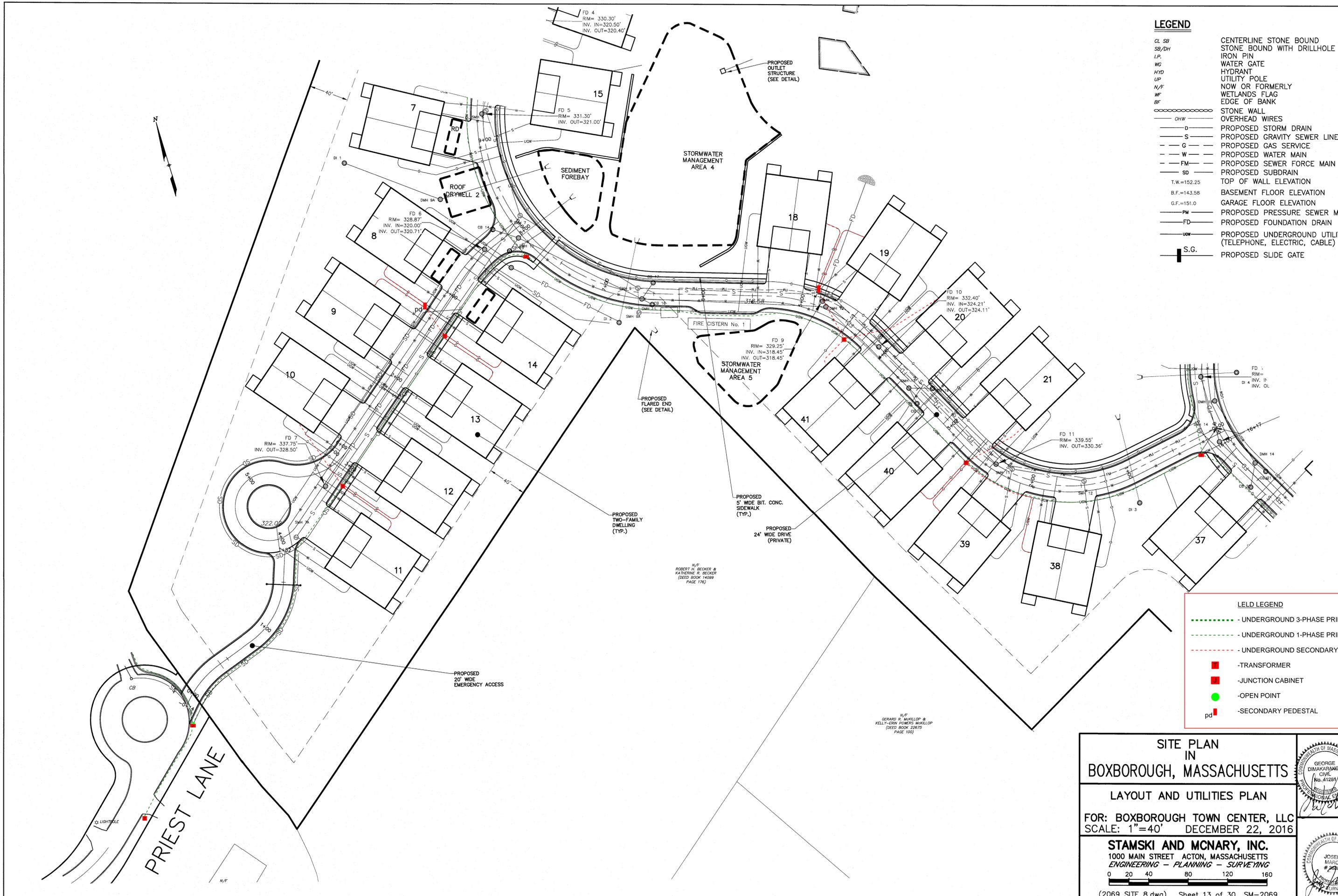
SITE PLAN IN BOXBOROUGH, MASSACHUSETTS MASTER PLAN

FOR: BOXBOROUGH TOWN CENTER, LLC
 SCALE: 1"=120' DECEMBER 22, 2016

STAMSKI AND MCNARY, INC.
 1000 MAIN STREET ACTON, MASSACHUSETTS
 ENGINEERING - PLANNING - SURVEYING

0 60 120 240 360 480 FT

(2069 SITE 8.dwg) Sheet 2 of 30 SM-2069



LEGEND

- CL SB CENTERLINE STONE BOUND
- SB/DH STONE BOUND WITH DRILLHOLE
- I.P. IRON PIN
- WG WATER GATE
- HYD HYDRANT
- UP UTILITY POLE
- N/F NOW OR FORMERLY
- WF WETLANDS FLAG
- BF EDGE OF BANK
- STONE WALL
- OHW OVERHEAD WIRES
- D PROPOSED STORM DRAIN
- S PROPOSED GRAVITY SEWER LINE
- G PROPOSED GAS SERVICE
- W PROPOSED WATER MAIN
- FM PROPOSED SEWER FORCE MAIN
- SD PROPOSED SUBDRAIN
- T.W.=152.25 TOP OF WALL ELEVATION
- B.F.=143.58 BASEMENT FLOOR ELEVATION
- G.F.=151.0 GARAGE FLOOR ELEVATION
- PM PROPOSED PRESSURE SEWER MAIN
- FD PROPOSED FOUNDATION DRAIN
- UOW PROPOSED UNDERGROUND UTILITIES (TELEPHONE, ELECTRIC, CABLE)
- S.G. PROPOSED SLIDE GATE

- LELD LEGEND**
- UNDERGROUND 3-PHASE PRIMARY
 - UNDERGROUND 1-PHASE PRIMARY
 - UNDERGROUND SECONDARY
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N/F
ROBERT H. BECKER &
KATHLEEN R. BECKER
(DEED BOOK 14099
PAGE 176)

N/F
GERARD R. MCKILLOP &
KELLY-ANN POWERS MCKILLOP
(DEED BOOK 22675
PAGE 100)

**SITE PLAN
IN
BOXBOROUGH, MASSACHUSETTS**

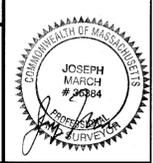
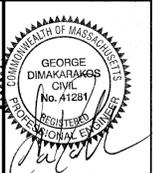
LAYOUT AND UTILITIES PLAN

FOR: BOXBOROUGH TOWN CENTER, LLC
SCALE: 1"=40' DECEMBER 22, 2016

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING

0 20 40 80 120 160

(2069 SITE 8.dwg) Sheet 13 of 30 SM-2069





TOP OF COVER=323.64
GROUND ELEV.=321.58



LEGEND

- CL SB CENTERLINE STONE BOUND
- SB/DH STONE BOUND WITH DRILLHOLE
- I.P. IRON PIN
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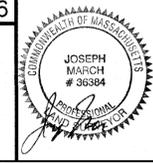
**SITE PLAN
IN
BOXBOROUGH, MASSACHUSETTS**

LAYOUT AND UTILITIES PLAN
FOR: BOXBOROUGH TOWN CENTER, LLC
SCALE: 1"=40' DECEMBER 22, 2016

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING

0 20 40 80 120 160

(2069 SITE 8.dwg) Sheet 14 of 30 SM-2069



LEGEND

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- LELD LEGEND**
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**SITE PLAN
IN
BOXBOROUGH, MASSACHUSETTS**

LAYOUT AND UTILITIES PLAN

FOR: BOXBOROUGH TOWN CENTER, LLC
SCALE: 1"=40' DECEMBER 22, 2016

STAMSKI AND MCNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING

0 20 40 80 120 160

(2069 SITE 8.dwg) Sheet 15 of 30 SM-2069

