



TOWN OF BOXBOROUGH

Planning Board

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Mark Barbadoro, Chair • Cindy Markowitz, Clerk • Mark White • Rebecca Verner • Kathleen Vorce

APPROVED ON January 23, 2023

Meeting Minutes

January 9, 2023

7:00 PM

Remote Meeting

Members Present: Mark Barbadoro (Chair), Cindy Markowitz (Clerk), Mark White, Rebecca Verner, Janet Connolly (associate member).

Staff Present: Alexander Wade, Town Planner; Sue Carter, consulting engineer PLACES Associates

Chair Barbadoro called the meeting to order at 7:03 PM with a roll call attendance.

Public Comment

None at this time.

PUBLIC HEARING (cont.) – Applications under Boxborough Zoning Bylaw Section 6105 Special Permit Private/Common Driveways in the Office Park District, 8000 Site Plan Approval, and 9200 Special Permits; and the Site Plan Approval Rules & Regulations submitted by for Site Plan Approval & Special Permit submitted by Boxborough Adams Realty Trust to construct a 140,000sf Office/Research & Development/Light Manufacturing facility. Subject property is located in the Office Park District at 244 Adams Place and is identified as Assessor's Parcel #s 12-025-000.

The Applicant has requested a continuation of this hearing.

Mr. White moved to continue this hearing to January 23, 2023 at 7:15pm. Ms. Verner seconded. Roll call: Barbadoro – aye; Verner – aye; White – aye; and Markowitz – aye. Motion passed 4-0-0.

General Business

ANR Plan – 400 & 500 Beaver Brook Road – *The Board took up this item at this time.*

Mr. Wade explained that, as part of the conditions of the site plan review, Campanelli has submitted an ANR plan for Lots 4 & 5, more commonly known as 400 and 500 Beaver Brook. This is to align the lot lines with what was described in the site plan review. He stated that, in his review, this plan does reflect the changes proposed during site plan review and it is his recommendation that the Board approve this tonight.

In response to a question from Ms. Markowitz, Mr. Wade stated that the Conservation Commission recently found favorably on this item and will be approving the order of conditions at its next meeting.

Ms. Markowitz moved to endorse the ANR plan for 400 & 500 Beaver Brook Road. Mr. White seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; and Markowitz – aye. Motion passed 4-0-0.

PUBLIC HEARING – To consider the application under 8000 Site Plan Approval submitted by Stamski and McNary, Inc. on behalf of the property owner, French Brothers Boxborough, LLC to construct a 3-unit trade shop building. The subject property is located in the Industrial / Commercial Zoning District at 100 Codman Hill Road and is identified as Assessor's Parcel #s 12- 035-000.

Mr. White moved to continue this hearing to February 6, 2023, at 7:05pm. Ms. Markowitz seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; and Markowitz – aye. Motion passed 4-0-0.

General Business

ANR Plan – 400 & 500 Beaver Brook Road – *This item was already addressed.*

Application for Road Acceptance – Joyce Lane, Loring Avenue, and MacLeod Way

Mr. Wade stated that the application is not 100% complete. Last week, the consultant's review fee was received, and the date/time for this field review has been scheduled.

In response to a question from Chair Barbadoro, Mr. Wade explained that, once the Board affirms this as complete, the applicant will submit this to the Select Board no later than January 31st. The Planning Board must then make a recommendation on this plan, and the Select Board will then decide to place it on the Town Meeting warrant.

Mr. Wade explained that this project was completed by 2005. Due to the age of this project, and the developer having stepped away from it and signed over the roadway to the Boxborough Meadows Homeowner's Association (HOA), the as-built plans are only available as a paper copy. The Town does not have the original digital submissions. This paper copy will be used by himself, Sue Carter, PLACES Associates, and the DPW Director in reviewing the road. It is up to the Board's discretion whether it would require the digital copy as well. This would likely be at a fairly substantial burden on the HOA.

In response to a question from Ms. Markowitz, Mr. Wade explained that this project was completed in 2005, and it did get presented to the Board at that time. However, the project had not completed its Conservation Commission signoffs at that time. The plan then sat dormant until 2011, at which point it was determined that the developer had first stepped away from the

project, without resolving all of the Conservation Commission deficits. Those still needed to be addressed with the most recent iteration of the documentation. The HOA then brought on legal counsel to help them in the assemblance of the application. The Conservation Commission work has since been completed and the certificate of completion has been received.

Ms. Markowitz stated that she believes there was an issue for the Fire Department regarding the width of the street for emergency access. Mr. Wade stated that this could be an issue and would be whether the Board accepts the road or not. The original developer requested waivers as part of this 40b project. He has not yet determined if there was an outright waiver for this item, but the road lines up with the as built submitted. He noted that informal parking spaces were painted on areas which were clearly supposed to be truck turnarounds. He has informed the HOA that, if this is to move forward, there will need to be a series of changes on an informal level and some signs/stripping to reformatize certain items. Any outstanding, significant items will need to be addressed.

Sumant Kaduskar, trustee of the HOA, explained that the HOA approached the Fire Department previously and the Fire Chief stated that he is okay with the width of the road. He stated that he will forward this communication to Mr. Wade.

Chair Barbadoro noted that the Board will retake this item at a future meeting when it has been addressed by Town consultants and staff.

Zoning and General Bylaws for Consideration

The Board reviewed the proposed Accessory Dwelling Unit bylaw.

Chair Barbadoro stated that he sees the proposed Accessory Dwelling Unit bylaw as an opportunity to help the Town with affordable housing. This could allow for the creation of small dwellings that attach to people's houses.

Mr. Wade agreed that this has been a very successful strategy that communities have employed over the last 20 years. Planning Departments across the Commonwealth have been evaluating accessory dwelling units (ADUs) and how to best utilize them to fulfill the needs of growing communities' housing stock, without necessarily sacrificing the character of the community.

Mr. Wade noted that he and Kathy Vorce met individually to go through the list of items that Ms. Vorce would like to see changed in the bylaw. These were then shared with Chair Barbadoro, to utilize his expertise as a Building Commissioner. Mr. Wade stated that he also altered this proposal to use the condensed numbering version of the bylaw.

The Board reviewed the proposed bylaw language. The Board discussed specific groups in Town that it would like to have review this language.

The Board discussed the Tree Protection and Preservation bylaw. Ms. Verner noted that this has not yet been reviewed by the Tree Warden. She explained that the purpose of this bylaw is

protection of public street trees and Town trees, along with a protection for anything triggered by the current stormwater bylaw. She reviewed the proposed language of the bylaw.

Department Updates –by Alexander Wade, Director/Town Planner

Mr. Wade noted that the Board has a request to authorize an outstanding bill for the zoning bylaw recodification project. \$1,440 remains to be paid. He asked if the Board has an expense account to pay for items out of. Chair Barbadoro stated that there is a consulting budget for the Board which could be drawn from. Ms. Markowitz stated that the original contract for Barrett Planning Group was not to exceed \$10,000, from an approved warrant article for this project. The overage could be due to a legal review of the project. Mr. Wade explained that all of the funding from the warrant article has been spent. Ms. Markowitz stated that she would work with Mr. Wade on this item.

Master Plan Action Item Updates – *This was not directly addressed at this time.*

Approval of Minutes – December 5, 2022 & December 12, 2022

Mr. White moved to approve the meeting minutes of December 5, 2022, as amended. Ms. Verner seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; and Markowitz – aye. Motion passed 4-0-0.

Ms. Markowitz moved to approve the meeting minutes of December 12, 2022, as amended. Ms. Verner seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; and Markowitz – aye. Motion passed 4-0-0.

Planning Board Training - *This item was not addressed at this time.*

Committee Reports: *The Board only addressed the Water Resources Committee report at this time*

- Community Preservation Committee (Vorce)
- Design Review Board (Verner)
- Economic Development Committee (White)
- MAGIC Representative (Markowitz)
- Water Resources Committee (Keating-Connolly)

Ms. Connolly asked if the Planning Board plans to request annual Master Plan updates from boards/committees, including the Water Resources Committee (WRC). Chair Barbadoro stated that this is the intention of the Board.

Mr. Wade suggested that the Board undertake the same process it attempted last year. He stated that he will work with each board/committee to obtain the anticipated information.

Ms. Connolly stated that a confluence of positive money streams has come together to make an extended water line to the western part of Town possible. The Select Board is hearing from a number of groups this evening regarding a potential intermunicipal agreement with Littleton.

In response to a question from Chair Barbadoro, Ms. Connolly stated that the Littleton Water Department (LWD) has signed a \$19M loan with 0% interest. As reported by LWD, with a 20% loan forgiveness, which will go directly to Boxborough, this would cost the Town approximately \$10.4M. There will be a public outreach call on betterment fees on January 19th. 438 people are on a list to be invited to this meeting.

- LELWD Small Cell Committee (Markowitz)
- Building Committee – TBD
- Boxborough Leadership Forum (Barbadoro)

Department Updates –by Alexander Wade, Director/Town Planner

- **MBTA Communities Action Plan** – *The Board took up this item at this time.*

Mr. Wade explained that MBTA Communities is an administrative process. He reviewed Chapter 3A. If the Town of Boxborough opts not to do this, it immediately becomes ineligible for some of the strongest grant programs available through the State. The Action Plan preserves the Town's compliance, while it decides how best to move forward without specifically committing the Town to anything. Boxborough has been designated as an Adjacent Small Town. The Town does not need to have a specific district size and does not have to locate the district in a specific part of Town. Boxborough does have to create 118 new units of housing at a rate of 15 units per acre. This equates to 7.9 acres of land for the district size. The district's land does not need to be contiguous. If this is done by creating a new district, the Board can rewrite the new district's dimensional regulations and floor area ratio, in order to get to the required number of units. The Town has until December 21, 2025, to complete these requirements. Mr. Wade stated that he will work with adjacent towns to consider all possible avenues for this.

Mr. Wade reviewed some conceptual districts. He explained that he looked for areas in Town where there were no protected resources, limited wetlands, and where there was already existing housing. A final, and arguably most important test, was proximity to a rapid transit facility, such as a Massachusetts Bay Transportation Authority (MBTA) stop, a bus station, etc. He noted that Littleton's MBTA station happens to be less than a mile from the Town border. Concept A is located along Hill Road, combining a series of contiguous lots for a total of 36.2 acres. Total developable land under a district size of 15 units per acre, would allow for 543 units in this concept area. The benefits to this concept land is that it has very limited resources present and it is less than a mile from an MBTA station. He noted that both concept ideas are very close to recreational resources, which could be an item to allow people to live healthier lives and have greater quality of life.

Mr. Wade explained that Concept B is located on Liberty Square Road and is approximately 17 ½ acres. This area is already an existing multifamily area, whereas Concept A includes almost entirely single-family homes. Concept B only has a unit capacity of up to 263 units. Some of the

benefits of Concept B are that there are no resources present aside from a wetland and its associated buffers. It is located only 1.5 miles from an MBTA station. This is also located directly adjacent to a developing recreational resource, at Liberty Field. The road in Concept B is also of a higher quality, in that it is lined and has greater curbing than Hill Road. The road in Concept B is likely safer and better prepared to accommodate an increased traffic flow. Concept B's proximity to the Liberty Field project is a bit of a detriment, as it could potentially create a slightly greater congestion.

Mr. Wade explained that, under Mass General Law, the Board can govern lot coverage, dimensional regulations, and other associated uses on these parcels. However, multifamily housing has to be allowed by right at a rate of 15 units per acre. He noted that Boxborough is one of the few communities over its Chapter 40b threshold. Regarding affordability of these developments, this must be a rate of no more than 10% of all units at no less than 80% area median income.

Chair Barbadoro noted that both concepts include multifamily housing in close proximity to rail lines. He stated that this is an intent of the MBTA initiative, but not a requirement. Mr. Wade agreed that this is not a requirement. The Town does not have to place this district in any specific area of Town. This is at the purview of the Town, because of its designation. However, if the Town would like to meet the true goals of this project, it should consider areas that are near transit stations or major highways. Chair Barbadoro stated that he would like to consider how this project could benefit Town retail by making walkable housing near Town center. Mr. Wade stated that this is a great option to explore.

Mr. Wade stated that he will be sending a survey to Planning Board members for feedback on the concepts.

Recently Received Correspondence - *The Board did not directly address this item at this time.*

New Business (if any) - *The Board did not directly address this item at this time.*

ADMINISTRATIVE BUSINESS - *The Board did not directly address these items at this time.*

- Town Center/Enclave Project Updates
- Technical Assistance Program Grant Application and other Grant Opportunities
- Master Plan Action Items
- Website update
- Legislative Update

Mr. White moved to adjourn the meeting at 10:25pm. Ms. Verner seconded.

Roll call: Barbadoro – aye; Verner – aye; White – aye; and Markowitz – aye. Motion passed 4-0-0.

Meeting Documents:

Planning Board Agenda January 9, 2023

244 Adams Place documents

100 Codman Hill Road documents

ANR Plan – 400 & 500 Beaver Brook Road documents

Application for Road Acceptance – Joyce Lane, Loring Avenue, and MacLeod Way

Draft Accessory Dwelling Unit bylaw

Draft Tree Protection and Preservation bylaw

MBTA Communities Action Plan documents

Draft Minutes

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

Join Meeting:

<https://us02web.zoom.us/j/82473650077?pwd=RFdLYnBrcThVdDk4UnBDQVRidmo5Zz09>

Meeting ID: 824 7365 0077 Passcode: 336772

Dial by your location: +1 929 205 6099 US

Find your local number: <https://us02web.zoom.us/j/ksc4PC2ZD>