



## TOWN OF BOXBOROUGH

### Planning Board

29 Middle Road, Boxborough, Massachusetts 01719

Phone (978) 264-1723 • Fax (978) 264-3127

www.boxborough-ma.gov

---

Mark Barbadoro, Chair • Cindy Markowitz, Clerk • Mark White • Robin Lazarow • Rebecca Verner

APPROVED ON January 24, 2022

### Meeting Minutes

January 10, 2022

7:00 PM

### Remote Meeting

**Members Present:** Mark Barbadoro (Chair), Cindy Markowitz (Clerk), Mark White, Rebecca Verner, and Robin Lazarow

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

Mr. Barbadoro called the meeting to order at 7:00 PM.

**Public Comment** – None at this time.

### **Inclusionary Zoning discussion - Al Murphy and Channing Wang from the Housing Board**

Mr. Murphy, Chair of the Housing Board, addressed the Planning Board. He explained that inclusionary zoning is a land use policy that encourages the inclusion of affordable housing in residential or mixed-use development. He recommended that the Town evaluate Inclusionary Zoning as a means of maintaining its status on the Subsidized Housing Inventory. He also recommended that a joint Planning Board/Housing Board subcommittee be formed to explore this concept in more detail.

The Board thanked Mr. Murphy and Mr. Wang for their presentation.

### **329 Stow Road, Owner/Applicant: Vasilis Kariolis**

### **Request to remove Public Shade Trees on a Scenic Road**

*The Board tabled this item until the applicant was available.*

### **Administrative Business**

#### **Meeting Minutes**

Mr. White moved to approve the meeting minutes of December 20, 2021, as amended. Seconded by Ms. Verner.

Roll call: Barbadoro – aye; White – aye; Lazarow – aye; Verner – aye; and Markowitz – aye. 5-0-0; motion passed unanimously.

### **329 Stow Road, Owner/Applicant: Vasilis Kariolis**

### **Request to remove Public Shade Trees on a Scenic Road**

Mr. Barbadoro opened this public hearing at 7:40pm and read the legal notice.

Mr. Kariolis stated that there are two pine trees at the end of his driveway that have some damage to them. He is concerned these trees could cause harm to his or neighboring properties. He would like to have the two trees removed, and possibly replant different trees in the location in the future.

Mr. Barbadoro noted that the Town Planner and Tree Warden are both recommending denial of this request.

Mr. Kariolis explained that one of the trees has extensive damage along its bottom 5'. The two trees are very large, and he would like to place nicer trees in the location.

Mr. Corson explained that a tree company makes decisions each year regarding trees along the Town's right of way. These two trees were not indicated for removal.

Ms. Markowitz explained that she noticed the bark was cut away along the base of one of the trees. She noted that there are a lot of large pine trees along the road in this area.

It was noted that the applicant would likely not be able to plant new trees in this location in the Town's right of way. Mr. Barbadoro stated that the Tree Warden can allow this. Mr. Kariolis stated that his intention is to place new trees along the landscaped area of his property.

Mr. White stated that the Board's job is to look after the Scenic Road bylaw. He noted that the Town or Littleton Electric could remove these trees at any time. It makes sense for these parties, and the owner, to keep an eye on these trees for possible removal in the future, if needed.

Anne McNeese explained that there are a number of trees along Stow Road that have incurred damage. It is important to look at the whole health of the tree.

Susan Cooney, 287 Stow Road, stated that there are trees along the road that have been damaged by the snowplow, but she is concerned with so many trees being removed along the road.

Anna McDonald, neighbor to the applicant, stated that one of the trees being discussed is substantially damaged, but not all damage will make a tree likely to fall. The other tree is a massive white pine that is likely 100 years old and seems healthy.

Mr. Kariolis stated that he is still seeking permission to remove these trees.

Mr. White moved to close the hearing. Seconded by Ms. Verner.

Roll call: Barbadoro – aye; White – aye; Lazarow – aye; Verner – aye; and Markowitz – aye. 5-0-0; motion passed unanimously.

Ms. Lazarow moved to deny the applicant's request to remove the two trees in question.

Seconded by Ms. Verner.

Roll call: Barbadoro – aye; White – aye; Lazarow – aye; Verner – aye; and Markowitz – aye.  
5-0-0; motion passed unanimously.

### **Zoning Bylaw Recodification – Discussion of Draft #1**

Mr. Corson noted that the bylaw draft has been broken into five sections. Board members may make comments and send them to him, so that he can share them with the Barrett Planning Group. The hope is to have comments back by Thursday, January 20, 2022. The Board will then have the first of several public hearing discussions on this document on January 24, 2022.

### **Stormwater Bylaw & Stormwater Management Regulations**

Mr. Corson stated that the bylaw hearing will occur at the Select Board's meeting on January 24, 2022, at or about 7:00pm.

The Board reviewed the draft regulations document.

### **Project Dragonfly**

There was discussion about this agenda item and Open Meeting Law, as it may be unclear to the public what this agenda item is in reference to.

Mr. Barbadoro noted that this item is in regard to a historical application for a biopharmaceutical property in the Beaver Brook development, proposed by a State Agency with a codename of Project Dragonfly. This is being discussed as an example of how the Town accepts applications from State agencies.

The Board agreed to table this to a future meeting.

### **Sale of 1414 Massachusetts Avenue**

Mr. Barbadoro stated that 1414 Massachusetts Avenue sold for \$76M.

Ms. Markowitz noted that there are obligations through the site plan approval process on the owners of this property. She asked that it be determined who the owner currently is. Having the building full should mitigate abatements from the Town. She noted the importance of baseline studies on existing resource areas in Town.

### **Property Tax Bills**

Mr. Barbadoro explained that this agenda item is to discuss large increases to the Town's property tax bills.

Ms. Markowitz noted that the tax bill increases are to cover the approved, voted on proposed budget at the last Town Meeting. These bills also deal with increased valuations that may have been on a lag over the years.

### **Planning Board Salary**

Mr. Barbadoro stated that the Finance Committee has asked if any Board members will be receiving their stipend (\$400) this year.

Becky Neville, Finance Committee, stated that the Select Board has opted not to take their stipend this year; the School Committee has opted to take their stipend this year. If this stipend item is taken by the Board, it is placed into the budget and will be raised and appropriated.

Mr. Barbadoro moved to that the Town budget for each Planning Board member to receive the \$400/year stipend (total \$2,000), and that each member then decide privately and individually whether to take the stipend. Seconded by Ms. Markowitz.

Roll call: Barbadoro – nay; White – aye; Lazarow – aye; Verner – aye; and Markowitz – aye. 4-1-0; motion passed.

### **Office of Land Use and Permitting**

Mr. Barbadoro explained that Interim Town Administrator Terenzini is planning to do a reorganization and combine offices to create an Office of Land Use and Permitting. This would likely lead to the hiring of an Assistant Town Planner.

### **Administrative Business**

#### **Correspondence**

The Board received correspondence from Rich Guzzardi, Economic Development Committee (EDC), regarding the Office of Land Use and Permitting and support for the EDC, which Mr. Barbadoro read into the record.

Mr. White questioned the status of the Town Planner MOU. It was noted that this is still with Interim Town Administrator Terenzini.

#### **Technical Assistance Program Grant Application and other Grant Opportunities**

No update at this time.

#### **American Rescue Plan Act (ARPA) projects**

No update at this time.

#### **Solar Bylaw Subcommittee**

Ms. Verner stated that the Sustainability Committee will take up this item at its meeting on Wednesday. The hearing process on the bylaw will begin on January 24, 2022, 7:30 pm.

#### **Town Center/Enclave Project**

Mr. Corson explained that sod has been delivered and installed in the infield area, protected with a silt fence.

#### **Campanelli Campus development options**

No update at this time.

**MGL Chapter 148 Sections 26h and 26i**

Mr. Barbadoro stated that Wes Fowlks, Chair of the Select Board, will not be placing these items on Special Town Meeting, but plans to hold public hearings and may place it on the Annual Town Meeting.

**Planning Board Training**

No update at this time.

**Master Plan Action Items Spreadsheet**

No update at this time.

**Website update**

**1414 Massachusetts Avenue – Arranta Bio Site Plan Approval Decision:**

<https://www.boxborough-ma.gov/DocumentCenter/View/1993/1414-Mass-Ave-Site-Plan-Approval-2021>

**Legislative Update**

No update at this time.

**Committee Reports:**

**Water Resource Committee (Barbadoro) –**

Mr. Barbadoro noted that this Committee is meeting tomorrow evening at 7pm.

**Community Preservation Committee (Lazarow) –**

Ms. Lazarow stated that the CPC voted to move forward the Warrant Article from the Water Resource Committee. This will be drafted, and the language will be reviewed at a future CPC meeting.

**Economic Development Committee (White) –**

This Committee will be meeting this Thursday.

**MAGIC Representative (Markowitz) –**

There will be a meeting tomorrow.

Ms. Markowitz noted that she will be attending the MBTA Communities webinar tomorrow and will update the Board at the next meeting.

Mr. White moved to adjourn the meeting at 10:38 pm. Ms. Verner seconded.

Roll call: Barbadoro – aye; White – aye; Lazarow – aye; Verner – aye; and Markowitz – aye.

Unanimously passed.

**Meeting Documents:**

LEGAL NOTICE OF PUBLIC HEARING Town of Boxborough Planning Board, Scenic Road Permit and Public Shade Tree Removal Application – owner Vasilis Kariolis

Scenic Road Permit Application – 329 Stow Road

Staff Report, Scenic Road Permit – 329 Stow Road

Draft Meeting Minutes, December 20, 2021

KP Law, DHCD Issues Draft Compliance Guidelines for “MBTA Communities” and Multi-Family Zoning Requirements, January 5, 2022

Memo from Vibalogics, re: Tree planting at 1414 Massachusetts Ave. Boxborough, MA, January 5, 2022

Memo from PLACES Associates, re: Tree Removal and Restoration Review – Vibalogics 1414 Massachusetts Ave, Project No. 5495, January 4, 2022

Memo from Lincoln Property Company, re: Proposed Landlord Improvements 1414 Massachusetts Avenue

Draft STORMWATER BYLAW – CONSTRUCTION AND POST CONSTRUCTION

Draft STORMWATER MANAGEMENT RULES AND REGULATIONS FOR CONSTRUCTION AND POST-CONSTRUCTION ACTIVITIES, revised December 7, 2021

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

Join Zoom Meeting

<https://us02web.zoom.us/j/89785137522?pwd=Z0tGWkl2QVNuRzFvTmJGTGxSVzB1Zz09>

Meeting ID: 897 8513 7522

Passcode: 292602

One tap mobile

+13017158592,,89785137522# US (Washington DC) +13126266799,,89785137522# US (Chicago)