



TOWN OF BOXBOROUGH

Planning Board

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

APPROVED ON March 28, 2022

Meeting Minutes

March 14, 2022

7:00 PM

Remote Meeting

Members Present: Mark Barbadoro (Chair) [8:01pm], Cindy Markowitz (Clerk), Mark White, Rebecca Verner, Robin Lazarow, and Janet Connolly (alternate)

Staff Present: Simon Corson (Town Planner)

Others Present: Wes Fowlks, John Markiewicz, Jennifer Campbell, Les Fox, and Diana Lipari – Select Board

Ms. Markowitz called the meeting to order at 7:00 PM. She noted that Chair Barbadoro will be joining the meeting later this evening.

Meeting with Select Board about MBTA Communities Draft Multifamily Guidelines
Town Planner, Simon Corson to make presentation and Boards to discuss sending a letter to DHCD

Town Planner, Simon Corson, explained that Section 18 of this Bill addresses the requirement of MBTA communities to have an as-of-right multifamily zoning district of “reasonable size” with a minimum density of 15 units per acre. Boxborough is considered an adjacent MBTA community. “Reasonable size” references at least 50 acres of land. This calculates to 750 units in Boxborough. The housing must not have age-restrictions and should reasonably have access to a transit station. There are no transit stations within Boxborough; the Littleton transit station is approximately 0.7mi from Boxborough. The effect of non-compliance of these guidelines is that an MBTA community will not be eligible for funds from the following grant programs: the Housing Choice Initiative, the Local Capital Projects Fund, or the MASSworks Infrastructure program. The Select Board must hold a community forum prior to May 2, 2022, to discuss the impact of these guidelines.

As this housing district should have safe and convenient access to sidepaths, sidewalks, and other types of transit infrastructure, it is unclear yet where this should be located in Town. The Town lacks water and sewer infrastructure and it will need to be confirmed with the State as to how this will impact these guidelines. It might be important to point out to the State that these limits may make these requirements unfair for Boxborough. The 750 minimum units may also not fit in with the character of the Town. An alternative could be a formula-based calculation, based on criteria such as total housing stock. There will need to be discussions regarding further actions if the required number of new units leads to the need for a new school in Town. Note that the Town

does not need to build these units, but it does need to zone for these units, and then will need to alter its services (Police, Fire, etc.) in order to handle what could be built. The Select Board will be hosting a meeting on March 21, 2021, and a letter could be drafted by the Planning Board with comments and questions before this meeting.

John Markiewicz noted that the guidelines mention “developable land” and that it can be where units have been or can be permitted. He noted that areas in Town where multifamily dwellings already exist may count toward this. Also, that only 25 acres of the 50 required must be contiguous.

Diana Lipari asked if there are any developments in Boxborough that have 15 units per acre. Mr. Corson stated that he does not believe there are any developments in Town that currently have that kind of density.

Ms. Lipari stated that the MBTA Advisory Board recently explained that it will not be taking up this item directly, but many members noted concerns in their communities. MAPC stated that Boxborough was noted as not having enough land under the criteria set forth. The requirements could increase the population by 35%, which would have a major impact on the Town, on the student population, and also the tax base.

Wes Fowlks stated that there appear to be approximately 2,266 buildings in Boxborough. These requirements would lead to a 34% increase in housing in Town. He noted that it may be worth it for the Town to not comply if the requirements are found to be untenable.

Ms. Lazarow explained that Stow’s letter focused on the availability of the grants that a Town could lose with non-compliance. It may be more effective to note the inequity of Boxborough potentially losing the ability to apply for these grants as part of this process.

In response to a question from Les Fox, Ms. Markowitz stated that MAGIC has not yet made a formal statement regarding these guidelines.

Les Fox noted that, regarding the proposed required density, the built area in Boxborough Meadows is much less than 15 units/acre.

In response to a question from Gary Kushner, Mr. Corson stated that a variety of areas in Town could be used to fulfill these zoning requirements. An effort to rezone would go to Town Meeting for a vote.

Dave Follett noted that there is a lack of parking at the transit stations to accommodate this type of growth in each town.

Mr. Markiewicz suggested surrounding communities drafting a letter together and also reaching out to State legislators.

Ms. Lipari explained that she believes that the legislature adopted this Act in conjunction with the Clean Energy and Climate Plan. These requirements are being placed in order to help deal with greenhouse emissions. However, there is nowhere in Boxborough to place this zoning which would allow for nearby access to a transit station without driving, thus not fulfilling this intention.

Mr. Corson noted that there is not an affordable housing component to these guidelines.

Mr. Follett suggested reaching out to a developer to discuss the practicality of these guidelines in Town.

Chair Barbadoro entered the meeting at 8:01pm.

984 and 996 Massachusetts Avenue & 38 Sara's Way

Owner/Applicant: Larry White

Engineer: Greg Roy, Dillis & Roy Civil Design Group, Inc.

Surveyor: Stan Dillis, Dillis & Roy Civil Design Group, Inc.

Site Plan and Special Permits

Mr. White recused himself from this item. Janet Connolly sat for Mr. White.

Chair Barbadoro read and opened this public hearing.

Greg Roy, Dillis & Roy, Attorney Chris Alphen, and Peter Lewandowski, representing the applicant, joined the Board.

Mr. Roy explained that this property is on the southerly side of Massachusetts Avenue. There is an existing driveway that accesses several homes and an existing business. The site is currently subdivided into three parcels. The applicant is proposing to consolidate these into two parcels, one of approximately 122,900 s.f. that will contain the project, and the other 60,000 s.f. to be left vacant. The project includes six residential dwellings, configured as three 2-unit buildings. These will be clustered around a shared driveway/cul-de-sac. This requires a special driveway permit. The site will be serviced by an onsite Title V septic system, and an onsite well. The six units and associated bedroom count keep the project under the public drinking water thresholds. The proposed stormwater system will comply with the MA Stormwater System Management regulations, including a stormwater basin to be located onsite. A drainage report and hydrologic calculations were submitted as part of the application. A landscape architecture plan was also submitted. Floor plans and building elevation plans were included as part of this application.

Mr. Roy explained that Board of Health approval is required and is currently being sought. A MA highway curb cut will be required, and one was previously approved for this site. The Conservation Commission will need to be satisfied with the application. There is no grading proposed within the buffer zone.

In response to a question from Ms. Lazarow, Mr. Lewandowski stated that there are no decks proposed on the back of the units, but there are patios proposed. The 2-bedroom units are proposed to be approximately 2200 s.f. each. This includes the basements of the units.

In response to a question from Mr. Barbadoro regarding setback requirement from adjacent lots, Attorney Alphen stated that this proposal will meet all dimensional requirements. Ms. Carter stated that the proposal meets the requirements along Sara's Way.

In response to a question from Mr. Barbadoro, Mr. Roy explained that this development is not going to be age-restricted, so the residential Title V flow rates are being used, at 220 gallons/day/unit. Each unit will be deed restricted to 2-bedrooms per the master deed.

Mr. Barbadoro asked that the plan reflect the proposed amount of clearing as well as any previously completed. Mr. Roy explained that the existing conditions plan will be updated. Ms. Markowitz noted that there was clearing done in the northwest corner of the site and asked that it be reflected as well.

The Board asked for clarification on the gross square footage calculations.

In response to a question from Ms. Verner, Mr. Roy stated that the applicant does not currently have an intention to build sidewalks as part of this project.

In response to a question from Ms. Verner, Mr. Roy stated that one of the driveways measures approximately 30' and another measures approximately 38'. Ms. Verner suggested that the driveway lengths should be minimized to accommodate only one car depth, instead of two.

Ms. Verner suggested reviewing the proposed lighting to make sure it is dark sky compliant.

Ms. Carter explained that Sara's Way subdivision requires a 20' wide roadway with a sidewalk. The layout plan shows the truck turns coming from an opposite direction than the Fire Department would be coming from. The Fire Department would like the pullout near this development, instead of on Sara's Way. The Fire Department also requested a curved Cape Cod berm in place on site.

Ms. Verner moved to continue this hearing to April 11, 2022, at 7pm. Seconded by Ms. Markowitz.

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

Mr. White retook his seat.

Administrative Business

95-105 Sargent Road, Chapter 61 Notice (*the Board took up this item at this time.*)

Lisa St. Amand, Boxborough Conservation Trust, explained that there is an application into the CPC from the Boxborough Conservation Trust for \$400,000 to be applied to the Town's purchase of 95 and 105 Sargent Road. The Select Board voted to send a letter of deficiency to the seller regarding their Notice of Intent. The BCT would prefer to proceed with the application to the CPC, as it believes there will be an appropriate Notice of Intent in the future.

Ms. Markowitz moved to support this application be approved by the CPC. Seconded by Ms. Lazarow.

Discussion:

In response to a question from Ms. Markowitz, it was noted that this application would place limited development on the site, unless the land was subdivided ahead of time. Additional grants will be sought for the total of this project. Mr. White stated that a case needs to be made there are financial benefits to purchasing the land, along with the benefits of preserving the land.

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

Taylor Farm Road

Referral to the Select Board for inclusion on the Annual Town Meeting Warrant for Road Acceptance

Nick Pauling, Goldsmith, Prest, & Ringwall, Inc., explained that the concerns raised last time are currently being addressed. He is requesting that the Board recommend approval for this project to be placed on the warrant. Ms. Carter stated that there are minor cleanup items to be completed, such as removal of a guardrail section and a rim of the outlet structure being raised. The as-built plan also needs to be updated to reflect these items. There is \$10,000 remaining in the tri-party agreement.

Ms. Markowitz moved to recommend to the Select Board that this item be added to the warrant. Seconded by Ms. Verner.

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

Administrative Business

Meeting Minutes – None at this time.

Correspondence – None at this time.

Technical Assistance Program Grant Application and other Grant Opportunities *There was no update at this time.*

American Rescue Plan Act (ARPA) projects - *There was no update at this time.*

Town Center/Enclave Project - *There was no update at this time.*

Sale of Paddock Estates - *There was no update at this time.*

Campanelli Campus development options - *There was no update at this time.*

MGL Chapter 148 Sections 26h and 26i - *There was no update at this time.*

Planning Board Training - *There was no update at this time.*

Master Plan Action Items Spreadsheet - *There was no update at this time.*

Website update - *There was no update at this time.*

Housing Choice Legislative Update - *There was no update at this time.*

Committee Reports:

Water Resource Committee (Barbadoro) –

The Board had a conversation regarding water supply sources for the Town.

Community Preservation Committee (Lazarow) – *There was no update at this time.*

Economic Development Committee (White) –

Mr. White explained that the EDC is discussing seeking grant funding to try to develop a Town Center.

Ms. Markowitz asked the EDC to consider meeting in Zoom format. She also noted that Hudson completed a Downtown Revitalization program.

MAGIC Representative (Markowitz) – *There was no update at this time.*

Mr. White moved to adjourn the meeting at 10:33 pm. Ms. Lazarow seconded.

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

Unanimously passed.

Meeting Documents:

984 & 996 Mass. Ave. and 38 Sara's Way – application materials

MBTA Zoning Presentation documents

Taylor Farm Road documents

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

Join Zoom Meeting

<https://us02web.zoom.us/j/85209277776?pwd=anlwVnRZd21RaDVqUnhycHJYdVRkUT09>

Meeting ID: 852 0927 7776

Passcode: 346142

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