



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 August 30, 2021

Meeting Minutes

July 19, 2021

7:00 PM

Remote Meeting

Members Present: Mark Barbadoro (Chair), Mark White, Cindy Markowitz (Clerk) [7:06pm], Rebecca Verner, and Robin Lazarow

Also Present: Simon Corson (Town Planner), Sue Carter (PLACES Associates), members of applicant teams, Bethany Ordnung (Haley Ward), Michael Sauda (Haley Ward), Adam Costa, Town special land use counsel.

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

Public Comment – none at this time.

The Board conducted other business until the time of the first scheduled public hearing, 7:15pm.

Administrative Business

Correspondence and New Business (if any)

Mr. Barbadoro shared that the Board reviewed correspondence from Cathy Biron. He shared the content of Ms. Biron's email.

Ms. Markowitz entered the meeting at 7:06pm.

Meeting Minutes

Ms. Verner moved to approve the meeting minutes of April 28, 2021, as amended. Seconded by Ms. Lazarow.

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

Unanimously passed

Ms. Markowitz moved to approve the meeting minutes of May 10, 2021, as amended. Seconded by Ms. Verner.

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

Unanimously passed

Town Center/Enclave Project

In response to the letter from the Birones, Sue Carter explained that she walked the site. She walked the fence line, which is the dividing line for the flow of water toward the site and toward

the Birons'. She found that there is less surface runoff going toward the Birons. She suggested that some of the issues mentioned by the Birons in their correspondence could be due to the volume of rain or the footing drains becoming overwhelmed. She noted that the Birons stated in their letter that the drains on site are 20-30 years old.

Sue Carter stated that she was pleased when she walked the Enclave site. She stated that the basins were caching the water and controlling it. The Conservation Commission and Enclave team will walk to site to clean out sediment after the storms. There was a concern about flooding at Sheriff's Meadows, so sandbags were placed on the pavement and near catch basins to capture the water into the basins. She believes the Enclave team has a handle on how to deal with heavy rains.

In response to a question from Ms. Markowitz, Ms. Carter stated that she believes the stormwater system on site will be adequate moving forward. Ms. Carter noted that having the stormwater management items in place and stabilized will be helpful.

In response to a question from Ms. Lazarow, Ms. Carter stated that there were concerns from Sheriff's Meadow residents about flooding to the low points, so sandbags were placed across roads before the flow could reach the area.

Ms. Markowitz questioned if the performance bond could be increased due to the stormwater design on site not being adequate. Ms. Carter stated that the Board has a lot of leverage on this due to it being tied to occupancy permits. However, she is pleased with what's been done so far.

In response to a question from Mr. Barbadoro regarding dewatering the area near the Birons, Sue Carter explained that there is less flow leading from the top of the ridge to the Birons than before the Enclave site was developed. The plantings put in place are not currently thriving, possibly due to the water on site. She explained that the smaller stones and soil are still in place on the hill, and so scouring has not taken place during the rains. Sue Carter stated that the flooding on the Birons property may be due to root intrusion in their drains, or an overwhelming volume of water.

Ms. Verner noted her concern with the siltation fence being removed before the site has become vegetated. Ms. Carter stated that there has been very little soil movement on the property, moving down from the top of the hill.

Ms. Markowitz stated that she is concerned about putting this issue back onto the Birons, as there did not seem to be any of these issues on their property prior to the area behind them being cleared.

Ms. Carter stated that she will keep an eye on the situation.

Ms. Carter stated that construction is proceeding on the Enclave site. More foundations have been put in. There is a delay in getting building materials. The company is working to get Belgian block curbing put in. The water system is in and has been tested.

7:15 PM Priest Lane

**Owner/Applicant: Boxborough Town Center LLC
Definitive Subdivision Plan Application**

Mr. Barbadoro opened the public hearing and read the legal notice. He explained that he plans to hear from the applicant, allow the Board to ask questions and then, if the Board decides to continue to hear from the applicant, hear from the public. If the Board decides to table this hearing, public comment will be held at the next meeting.

Greg Roy, Dillis & Roy, joined the Board, representing the applicant. He explained that the preliminary subdivision application for this project was filed months ago. The current plan is similar to the one submitted. There is enough frontage at the end of Priest Lane to create a right of way, constructed in accordance with the Town's subdivision regulations. The creation of this right of way will allow for the generation of frontage for two proposed house lots. The applicant is asking for a waiver of the road construction standards because this right of way will be held as a private way and only serve the two lots. The applicant will meet with the Fire Department to discuss the requirements for this site. The proposed turning radius on the road will allow for larger vehicles to pass than the Town currently owns. This is to allow for a mutual aid situation. The proposal is for onsite wells and septic systems for each lot. Soil testing has been completed and witnessed by the Board of Health.

Mr. Roy explained that part of this project includes the expansion of a zone 1 radius from the Enclave project. The intention is to include that portion of land into this site to make for slightly larger lots. There is also an easement for a detention basin of the Enclave project on this land. The intention is to make this area its own parcel and deed it to the Enclave property owner.

Ms. Carter stated that there is one outstanding item, testing information for the leaching chamber proposed. She has also requested an update of the proposed waiver. She noted that the Fire Chief is examining the cul de sac design. She stated that the property is subject to the Scenic Road Stone Wall Bylaw.

Mr. Barbadoro mentioned the Lot Regularity Bylaw. Mr. Roy stated that he would have to look into this item. He does not believe that the project is required to satisfy the area requirements of the bylaw.

In response to a question from Mr. Barbadoro, Mr. Roy explained that there is a cistern on Priest Lane and that the Fire Chief stated that there is not a need for another cistern to be put in. He does not believe the properties are slated to be sprinkled. If this is a code issue, it will be dealt with.

In response to a question from Ms. Markowitz, Mr. Roy explained that the turnaround situation has been discussed with the Fire Chief. The firetrucks will have to go down to the house, to access the turnaround area. The common driveway is proposed to be a 16' wide pavement area, with 14' pavement width to the houses with a 2' gravel shoulder on both pavement widths. This is per the Fire Department's request.

Mr. Barbadoro noted that the turnout is only a 12' pavement width.

In response to a question from Ms. Markowitz, Mr. Roy explained that the main updates to the stormwater report include the configuration of the underground area and a clarification to the stone infiltration area.

Ms. Markowitz questioned the stonewall as being a boundary of the site, per the original subdivision plan for the area. Mr. Corson stated that this is going to be discussed as part of the Board's request for a legal decision.

In response to a question from Ms. Lazarow, Mr. Roy explained that he does not believe there will be a risk of tires popping in terms of the curbing around the island on Priest Lane, due to the driveways being a straight shot. His applicant is not interested in removing this curbing at this time.

In response to a question from Ms. Verner, Mr. Roy stated that he believes the Fire Department either wants there to be sloped curbing around the island, or for it to be paved. Ms. Verner stated that she would like this to be avoided, if possible, in order to not add more asphalt to the area and as an unnecessary hardship to others that live along the cul de sac.

In response to a question from Ms. Verner, Mr. Roy stated that his client intends to preserve many of the trees on the property. The intention is for the entrance to these lots to look like a single-family driveway and house. Ms. Verner noted that she believes it looks like approximately 50% of the site is going to be cleared.

Ms. Verner discussed emergency vehicle access to the site. She stated that she would like to see how the site to the south will function in terms of this item. Mr. Roy stated that he would get information regarding the grading of the driveways.

In response to a question from Ms. Verner, Mr. Roy stated that there will be a series of catch basins to pick up runoff and infiltrate it. There will be limited runoff on the north of the property and thus, a catch basin is not warranted there. Ms. Verner stated that it looks like the water will be directed from the common driveway and forced onto Priest Lane. Mr. Roy stated that there will be some runoff that cannot be captured, but it will not be significant.

Ms. Carter noted that the proposal reduces the tributary area. Due to the shallow ledge of this area, there isn't much more the applicant can do. Ms. Verner suggested a trench drain could be installed at the end of the common driveway.

In response to a question from Ms. Markowitz, Mr. Roy stated that the closest units on the Enclave property will have some views of these units. Abutters on Priest Lane will have similar views. The intention is not to clear cut these lots.

In response to a question from Mr. Barbadoro, Mr. Roy stated that the intention is to have the driveway access points be at the highest grading spot. Ms. Carter suggested adding as a note on the plan that the high points for the driveways be required to be in these certain locations.

Ms. Markowitz moved to continue this public hearing to August 9, 2021, at 7pm, via Zoom. Ms. Verner seconded.

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

7:30 PM – 1414 Massachusetts Avenue

Owner: LPCH Boxborough

Applicant: Arranta Bio

Site Plan Approval Application

Mr. Barbadoro recused himself as an abutter to this application. He noted that, per legal opinion from the Ethics Commission’s attorney, he will recuse himself but will represent his own self-interests as a member of the public.

Mr. White stepped in to Chair this hearing. He read the legal notice and opened the hearing. He noted that he will be proposing a hard stop on discussion of this topic at 10pm.

Paul Alphen, Alphen & Santos, P.C.; Richard Quinby, Arranta Bio; and Nick Facendola, Level Design Group joined the Board.

Paul Alphen stated that there are no proposed exterior site improvements or modifications to the exterior proposed as part of this project. This application has been submitted to compliance with the bylaw for Site Plan Approval. Arranta Bio is proposing to occupy 129,191 sq ft of this existing building. The first and second floors will be used to build, analyze, and manufacture small volumes of pharmaceutical products. The company plans to grow its workforce to approximately 200 people progressively over the next 24-36 months. 120 of these employees will be on the dayshift and 80 will be on off-shifts. During the recent Town Meeting, life science businesses were approved as acceptable uses within Office Parks. This is specifically permitted if hazardous materials on site are handled safely and only used incidentally. A request has been submitted to the Building Official for zoning determination. The applicant is voluntarily proposing to upgrade the stormwater management system on site.

Rich Quinby, Vice President of Arranta Bio, explained that the company develops processes to manufacture bacteria typically available in health/grocery stores, to higher standards. The company likes to contribute to the society it is located in and become part of the community. There will be a heated Bio-Kill system to kill residual bacteria from non-hazardous process. The pure water reject will be added directly into a waste tank. Both of these previous items will go into the waste tank, which will be transported offsite. Hazardous materials/lab waste will only account for less than 2% of the total volumes and be incidental only. These will be deposited directly into drum storage for off-site disposal. The domestic water will be transported from an onsite water treatment system to the leach field.

Sandy Brock Nitsch, engineer for the owner, reviewed the existing stormwater system on site. She explained that currently the rainwater drains to the nearby wetlands. She looked at the impact to the aquifer from this site. There is not currently a system on site to collect water into. She explained that one of the existing detention basins on site needs to be maintained for overgrown vegetation. She explained that this has been recommended to the applicant, as well as retrofitting three of the parts in the existing system.

Mr. Quinby stated that, as a biosafety measure, Arranta Bio is required to have a Biosafety Committee. This committee will be made up of internal staff, a member of the Board of Health, and a community representative. The bacteria being used on site is BSL1-BSL2. There will be engineering and administrative controls in place.

Mr. Alpen stated that Arranta Bio reviewed the conditions of approval from the Vibalogics site plan approval and has agreed to be subject to those conditions, as they apply to this applicant and with the changes recently passed to the bylaw.

Ms. Carter stated that she is looking for clarifications on how the interior of the building will be divided. She noted that there will be a common cafeteria in the building, which led to an increase of septic flows on the plan. She is looking for information on the sewer flow amounts and the number of employees. It is being requested that there be a gate valve at the trench drain at the loading dock. The wetlands will give this site a great opportunity to recharge its stormwater. She is suggesting more documentation on the O&M plan for the drainage system for processed water handling. She noted that most of her concerns have been addressed by the applicant. She has added some conditions to those from the Vibalogics decision.

Michael Sauda, Haley Ward, stated that he believes the health safety items as proposed will meet the standards. He would like clarity on if the third party to manage the waste disposal will be created by the applicant or hired out from an existing party. Mr. Quinby stated that this hasn't yet been decided on.

In response to a question from Sue Schmitt, Depot Road, Mr. Quinby stated that there will not be any animal resting as part of this company. There will be FDA approval needed for these products. He is unsure if the FDA uses animal testing during its process.

Mark Barbadoro, 627 Old Harvard Road, stated that he would like a better understanding of the FDA's role in the extraction, isolation, and transference of the gut bacteria used by Arranta Bio. Mr. Quinby stated that he would need a scientific explanation for that, but that the FDA highly regulates the process. He noted that he will provide the Board with a copy of the FDA guidelines.

In response to a question from Mr. Barbadoro, Mr. Quinby stated that the Biosafety Committee will need to review any new item that enters the facility using a standard checklist.

In response to a question from Ms. Lazarow, Mr. Quinby stated that the samples first go through a purification process which is regulated and must pass a series of tests to be screened for other bacteria.

In response to a question from Barbara Salzman, Cobleigh Road, regarding the parent company of Arranta Bio and who is financially responsible for any accidents that may occur, Mr. Quinby explained that Arranta Bio is a private company that has investors and a CEO. He stated that he will find out if he can disclose furthermore detailed information on the ownership structure.

Ms. Verner noted a few items that need to be updated on the plan: the water usage is not accurately represented, recommended changes to the stormwater system per the consulting engineer, no signage being proposed when signage will be needed, no modifications to site lighting when existing lighting will need to be retrofitted to become dark sky compliant, and that part of this project is located within the flood plain. She noted that the plan states that there will be no edits made to the exterior portion of the building, but during the site walk it was mentioned that some walls may need to be torn down in order to create the cleaning rooms and then put back up. She stated that this has never been mentioned during any of the public hearings.

In response to a question from Ms. Verner, Ms. Brock stated that the grass swale is located within the 100' buffer zone, so earth work would need to be done in order to add a better system there. This would change the scope of work on site and require additional permitting. She would rather see the grass swale remain in place than other systems be installed.

In response to a question from Ms. Verner, Jim Noonan, LPCH, stated that the applicant is okay moving forward with the recommendations for the stormwater system made by Ms. Brock. He noted that the applicant is working on retrofitting the building's lighting to be dark sky compliant and that he is working with both tenants on signage. This will come back before the Board.

In response to a question from Ms. Markowitz, Mr. Quinby stated that Arranta Bio does not work with recombinant DNA. He will get information on the quantities of infectious material on site but believes that none will be brought on or leaving the site. He will also get information on the quantities of toxic/hazardous material on site, which he believes are minor quantities. He will follow-up on language regarding the types of bacteria (RG1, RG2) "generally" being a "minor risk." He explained that the company will comply with the newly adopted hazardous materials, groundwater, and biosafety regulations, and that these were included in the zoning determination letter to the Building Official. There will be no animal materials used in cell cultures on site. He will also follow up on any additional approvals that were needed for the Watertown facility.

Ms. Markowitz noted some concerns on the projected traffic numbers. Nick Facendola, Level Design Group, stated that these numbers are based on the ITE Trip Generation manual, based on the square footage, and use of the building. These are not made to be specific to this company. It is important to focus on the AM and PM peaks, more so than the total number of trips.

Rich Guzzardi suggested that some of the questions regarding the biosafety regulations could be addressed to the Board of Health.

Mr. Barbadoro noted that the time was 10pm and asked for this hearing to be continued.

Ms. Lazarow moved to continue this hearing to August 9, 2021, at 7:30pm via Zoom. Mr. White seconded.

Ms. Markowitz noted that this continued public hearing will be the public's chance to be heard on matters relating to this application, as the Board of Health might not hold an additional public hearing on this item.

Mr. Corson stated that if any of the Board members want additional input from the Board of Health or other agencies of the Town, to funnel those requests through him.

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

Mr. Barbadoro took his place as Chair.

Administrative Business

Cisco/Beaver Brook Campus development options

Ms. Markowitz noted that the property sold in late June to Campanelli for approximately \$10.5M with a leaseback agreement of 300 Beaver Brook Road to CISCO with an option to extend.

MOU and Town Planner's Job Description

Mr. Barbadoro stated that he, as an individual, will be writing a letter of concern to the Select Board because this discussion has been dropped. He is very disappointed that the Personnel Board has taken down the old job description and replaced it with theirs. He believes this was done prematurely as the conversation was still going on.

Ms. Lazarow stated that the Select Board was supposed to be getting a legal opinion on this item. She shared Mr. Barbadoro's disappointment.

Mr. Barbadoro noted that, per the Personnel Administration Plan, all rules, procedures, and policies created by the Personnel Board are to be reviewed and approved by the Select Board. Nowhere in that document does it say that the Personnel Board can create job descriptions.

Ms. Markowitz concurred with the shared disappointment of other Board members.

Re-introduce the Solar Bylaw

Mr. Barbadoro stated that he and Ms. Verner spoke to the Sustainability Committee about reintroducing this bylaw and will continue to have conversation on the best way to do so.

Massachusetts General Law, Chapter 148, Section 26H and Section 26I: Sprinklers for Lodging, Boarding Houses and Multiple Dwelling Units

Mr. Barbadoro stated that these are two local laws that can be adopted by the Town. These are regarding required sprinklers for 4+ unit apartments and 6+ people lodging houses. He noted that lodging houses are a dangerous risk for fires to occur. He may introduce this as a citizen petition.

Zoning Bylaw Recodification

Mr. Corson stated that the final draft of this document is ready for approval from Ms. Markowitz and Mr. Barbadoro. The RFP and project scope have been put together and he will reach out to three bidders to get quotes. The RFP will request that bidding for this project be not to exceed \$30,000, as voted on at Town Meeting.

The Board agreed to send any comments on the bid package to Mr. Corson by Friday. He will alert the Chair to any major issues and hopes to send out the RFP by Monday.

Planning Board Administrative Rules and Regulations

The Board will review this further in September/October.

Land Use-Related Grant Status –

Mr. Corson stated that he is still considering applying for the MVP Action Grant. The next round for this grant will be in the spring. He suggested that the Board hold a goals workshop to discuss collective goals that could be sought through grant opportunities.

Legislative Update – no updates at this time.

Committee Reports:

Community Preservation Committee (Lazarow) - no updates at this time.

Design Review Board (Verner) – no updates at this time.

Economic Development Committee (White) – no updates at this time.

MAGIC Representative (Markowitz) – no updates at this time.

Water Resources (Barbadoro) – no updates at this time.

LELWD Small Cell Committee (Markowitz) – no updates at this time.

Building Committee - TBD – no updates at this time.

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

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

Meeting Documents:

LEGAL NOTICE OF PUBLIC HEARING, Town of Boxborough Planning Board – Definitive Subdivision Plan Application, Boxborough Town Center, LLC

APPLICATION FOR DEFINITIVE PLAN OF A SUBDIVISION, FOR “PRIEST LANE”, DILLIS & ROY CIVIL DESIGN GROUP, INC., May 21, 2021

STORMWATER REPORT PRIEST LANE BOXBOROUGH, MASSACHUSETTS, DILLIS & ROY CIVIL DESIGN GROUP, INC., May 21, 2021

Memo from Dillis & Roy, re: Revised Plan Set & Drainage Calculations Definitive Subdivision – Priest Lane Boxborough, MA 01719, July 14, 2021

Memo from Simon Corson, re: Priest Lane Preliminary Subdivision, June 21, 2021

Staff Report from Simon Corson, re: Priest Lane Preliminary Subdivision, July 15, 2021

Memo from PLACES Associates, re: Priest Lane Definitive Subdivision, July 15, 2021

LEGAL NOTICE OF PUBLIC HEARING Town of Boxborough Planning Board Site Plan Application, Arranta Bio

Site Plan Approval Application: 1414 & 1320 Massachusetts Avenue; 244A & 244B Adams Place; 984, 984A, 984B, 984C, 1451, 1497 & 1634 Hazard Lane; 328 & 1451 Rear Hazard Lane

Memo from Level Design Group, re: Arranta Bio Site Plan Review
1414 & 1320 Massachusetts Avenue; 244A & 244B Adams Place; 984, 984A, 984B, 984C, 1451, 1497 & 1634 Hazard Lane; 328 & 1451 Rear Hazard Lane, Boxborough, MA 01719.
Assessor Parcel Numbers: 12-027, 12-028, 12-030, 13-004, 13-002, 17-005, 17-009, 17- 010, 17-022, 17-023, 17-024, 17-025, 18-001. LDG File No. 1869.00, June 10, 2021

Memo from Sanborn Head, re: Off-Site Disposal of Process Water 1414 Massachusetts Avenue, June 8, 2021

Memo from Nitsch Engineering, re: Nitsch Project #12995, June 3, 2021

Memo from Arranta Bio, re: Re: Arranta Bio Boxborough Facility is designed to operate at Biosafety Level 2, June 22, 2021

Memo from Level Design Group, re: Arranta Bio Site Plan Review
1414 & 1320 Massachusetts Avenue; 244A & 244B Adams Place; 984, 984A, 984B, 984C, 1451, 1497 & 1634 Hazard Lane; 328 & 1451 Rear Hazard Lane, Boxborough, MA 01719.
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Memo from Arranta Bio, re: Re: 1414 Mass Ave – clarification of Waste Handling System, July 14, 2021

Memo from Nitsch Engineering, re: Nitsch Project #12995, July 14, 2021

Staff Report from Simon Corson, re: ite: 1414 and 1320 Massachusetts Avenue, 244A & 244B Adams Place, 984, 984A, 984B, 984C, 1451, 1497, & 1634 Hazard Lane, and 328 & 1451 Rear Hazard Lane, July 15, 2021

Memo from PLACES Associates, re: Site Plan Review, Arranta Bio, July 15, 2021

Memo from Haley Ward, re: Peer Review Services |1414 Massachusetts Avenue Arranta Bio, July 15, 2021

Memo from PLACES Associates, re: Enclave – Site Inspection, July 1, 2021

Draft Meeting Minutes April 28, 2021

Draft Meeting Minutes May 3, 2021

Draft Meeting Minutes May 10, 2021

Correspondence from Barbara Salzman

Draft Zoning Amendments Workshop flyer, July 21, 2021

Response to Barbara Salzman correspondence

Correspondence from Cathy Biron

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

Join Zoom Meeting

<https://us02web.zoom.us/j/84476082497?pwd=Z3lRVEdhZEMzdi8vLys2bXhEZ01kdz09>

Meeting ID: 844 7608 2497

Passcode: 165741

One tap mobile

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+19292056099,,84476082497#,,,,*165741# US (New York)