



**BOXBOROUGH PLANNING BOARD**  
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Owen Neville, Chair    Eduardo Pontoriero, Clerk    Nancy Fillmore    John Markiewicz    Hongbing Tang

**Meeting Minutes**  
**January 12, 2015**  
**7:30 PM**  
**Morse Room, Town Hall, 29 Middle Road**

Members present:

Owen Neville, Chair  
Eduardo Pontoriero, Clerk  
Nancy Fillmore, Member  
Hongbing Tang, Member  
Adam Duchesneau, Town Planner

Members absent:

John Markiewicz, Member

The Chair called the meeting to order at 7:30 PM.

**Depot Road and Emanuel Drive ANR Application**

Simon Bunyard and Rita Grossman of the Boxborough Conservation Trust (BCT) and abutter David Follett were present to discuss the application with the Planning Board. Mr. Bunyard informed the Planning Board that the BCT was a little short in the financial planning for the property as they were only able to create four buildable lots on the Emanuel Drive extension. Therefore, they would like to carve off one more lot to sell to an abutter, the Folletts, to cover the remaining outstanding cost of the loan on the property. Mr. Bunyard noted that 70% of the original parcel will remain intact and a Conservation Restriction will be placed on the property that the Conservation Commission will manage. He continued on to note this will preserve a corridor for trails to the nearby Hager land and the BCT is also working with the Folletts to create some type of access across their property. Mr. Follett indicated they are looking into a trail easement similar to that which was used for the trail head off of Barteau Lane to create trail connectivity. Mr. Bunyard noted Parcel A on the ANR Plan will not be developed and Mr. Follett added he would be using it for an additional wood lot and tapping of maple trees. Mr. Bunyard also stated the cash generated from the sale of this parcel will allow the BCT to make full payment of their loan for the property.

Mr. Neville then MADE a MOTION to endorse the ANR Plan for Depot Road and Emanuel Drive and to authorize the Planning Board Chair, the Planning Board Clerk, or the Town Planner to sign the plans on behalf of the Planning Board. Ms. Fillmore SECONDED the MOTION. All members voted in favor.

**534, 536, and 538 Flagg Hill Road Common Driveway Special Permit Minor Modification**

Walter Eriksen and Scott Eriksen were present to discuss the application with the Planning Board. Walter Eriksen stated they are finalizing the house plans for the three lot project and they

need to shift two of the driveways from the left side of the property to the right. He indicated the shift of these driveways was a result of the house plan each of the buyers had selected which placed the garages on the other side of the dwelling units. Mr. Pontoriero noted it appeared a couple of the septic systems had been relocated and Walter Eriksen stated these were slightly shifted to meet the Board of Health's requirements. Ms. Tang noted there also appeared to be some discrepancies between the specified planting spacing for the trees and shrubs indicated on the wetlands replication plan. Walter Eriksen indicated they will be working with the Conservation Commission and Places Associates, Inc., the engineering consultant for the Conservation Commission, to ensure they are in compliance with the Order of Conditions for the project. Walter Eriksen also noted that MassDEP and Sue Carter of Places Associates, Inc. had visited the site prior to and during construction of the common driveway through the wetlands to ensure it was being built in accordance with the plans.

Mr. Neville then MADE a MOTION to approve the requested Minor Modification as it was not significant to the public interest and the modification was not inconsistent with the purpose and intent of the Zoning Bylaw or the approved Common Driveway Special Permit. Ms. Tang SECONDED the MOTION. All members voted in favor.

#### **Housing Production Plan Presentation by MetroWest Collaborative Development**

Nathan Robinson from MetroWest Collaborative Development and Al Murphy, Chair of the Housing Board, were in attendance to present the current status of the Housing Production Plan to the Planning Board. Mr. Robinson noted the State requires that 10% of all dwelling units in each community in the Commonwealth be affordable to those with household incomes below 80% of the Area Median Income (AMI). This is called a community's Subsidized Housing Inventory (SHI). Currently, the Town of Boxborough only has about 1.1% of its housing stock as SHI units and all of these units are ownership units. Mr. Murphy indicated that components of the Housing Production Plan will resurface again in the Master Plan update process. Mr. Robinson pointed out the State also requires that each community have a Housing Production Plan with various components.

Mr. Robinson noted that because Boxborough is below the required 10% SHI threshold, the town is currently exposed to Chapter 40B projects which can override local zoning regulations if 25% of the housing units in the project are affordable by State standards. Mr. Pontoriero asked what the consequences were if a community did not comply with the State's 10% SHI threshold requirement. Mr. Duchesneau indicated these Chapter 40B residential projects could be located anywhere in the community until the Town reaches its 10% threshold. Mr. Murphy added the courts have usually found in favor of the developer in instances where communities have attempted to deny Chapter 40B projects when they have not met their 10% SHI threshold.

Mr. Robinson stated how demographic trends in the community are showing that Boxborough is growing older. He noted that land availability, regulatory constraints, infrastructure capacity, and the desire to preserve the community's character are all contributing factors to the number of housing units in town. Mr. Murphy added there is still quite a range of housing pricing needs for households in Boxborough. Mr. Pontoriero asked if the Residences at Beaver Brook project does not happen, how will the community be able to reach its 10% SHI threshold. Mr. Robinson indicated it would be very difficult to reach this State mandated percentage without a rather large or a few larger housing developments. Mr. Murphy stated if the Residences at Beaver Brook project does not move forward, the Town would need to solicit developers to construct larger

scale rental housing projects in the community. Mr. Robinson also added that a community can get some protection from Chapter 40B projects if they can show progress towards their required 10% SHI threshold.

Ms. Tang asked what happens if a community does not have the demand for much housing and how Boxborough could get Chapter 40B protection. Mr. Duchesneau indicated this is one of the many dilemmas of Chapter 40B. Mr. Pontoriero requested that data from surrounding communities, such as Bolton, Groton, and Stow, be gathered on housing prices, unit types, and what is making those communities grow.

Mr. Murphy noted the Housing Board had explored using the Condo Exchange Program to achieve the required 10% threshold, but it was simply not feasible. Mr. Neville stated the Planning Board had looked into a type of cluster zoning in the past, but they have not pulled anything together to bring back a proposal to Town Meeting. He continued on to note that in the long term the Planning Board should look at how to address these housing issues, especially providing housing to households in the 80% to 120% AMI range as well as to those below the 80% AMI.

#### **Meeting Minutes of November 17, 2014**

Mr. Neville MADE a MOTION to approve the minutes of November 17, 2014. Mr. Pontoriero SECONDED the MOTION. All members voted in favor.

#### **Correspondence**

Mr. Duchesneau indicated the Planning Board had not received any correspondence.

#### **Master Plan Update Status**

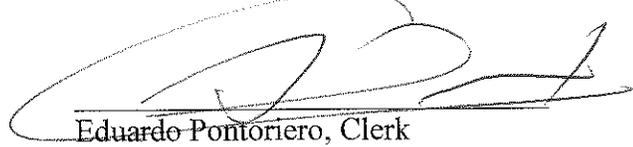
Mr. Duchesneau noted there was not much to report on the Master Plan update process other than that the Master Plan Update Committee would be meeting the next night, Tuesday, January 13, 2014 at 7:00 PM in Town Hall. He also indicated he was working with the project consultant to get the Master Plan Update website up and running. Mr. Duchesneau noted the Master Plan Update webpage would be a sub-site of the Town's existing website.

#### **Discussion Regarding Potential Zoning Bylaw Amendments**

The Planning Board then continued their conversation about possible proposed Zoning Bylaw amendments for the 2015 Town Meeting. The Board indicated they were comfortable with attempting to change the definition of "Accessory Building" to "Accessory Structure" and a few other administrative amendments. The Planning Board was also supportive of proposing an amendment that would allow Bed and Breakfast uses in both the Agricultural-Residential and Residential 1 zoning districts by Special Permit, where currently this type of use is not permitted. The Board stated they were not supportive of other proposed Zoning Bylaw amendments such as placing height limitations on some landscape features, adding a Building Trade use category, or reducing the minimum required parking space size. It was noted that further discussion was needed regarding the proposal to amend the current definition of "Mixed Use" to make it more inclusive. The Planning Board then decided to defer their discussion of proposed amendments to Section 6300 regarding signage to their next meeting.

With no further business, the meeting was adjourned at 9:37 PM on a MOTION by Mr. Pontoriero, SECONDED by Ms. Fillmore, with all members voting in favor.

On Behalf of the Boxborough Planning Board



Eduardo Pontoriero, Clerk

