



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

Meeting Minutes
July 27, 2015
7:30 PM
Morse Room, Town Hall, 29 Middle Road

Members Present:

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

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

Meeting Minutes of July 13, 2015

Mr. Markiewicz MADE a MOTION to approve the minutes of July 13, 2015 as amended. Mr. Pontoriero SECONDED the MOTION. All members voted in favor.

Correspondence

Mr. Duchesneau indicated the Planning Board had not received any correspondence since their last meeting.

Discussion Regarding Possible Variance Application for 23 Summer Road and 164 Massachusetts Avenue (aka 45 Summer Road)

Property owner Kathy Vorce was in attendance to discuss the properties and possible Variance application with the Planning Board. She began by describing the location of the properties and the existing boundaries of each parcel. Ms. Vorce noted her father had passed away and since that time her family has been marketing the properties. She indicated a landscaping business was operating out of the warehouse on the property and that banks will only finance the properties as a commercial use. This makes the property difficult to sell because banks will only provide commercial loans or two separate loans, one for the house and one for the warehouse.

Ms. Vorce then distributed proposed plot plans for the properties in which a 60,000 square foot lot with the warehouse, which included portions of the pond at the rear, was carved off of the main parcel on the west side of Summer Road. However, she pointed out the proposed lot did not contain 20,000 square feet of contiguous upland area as required in the Agricultural-Residential zoning district. Ms. Vorce noted her intent was to go to the Zoning Board of Appeals to request a Variance from the contiguous upland requirement. She felt freeing up the commercial portion of the lot from the house would make it easier for potential buyers. Ms. Vorce noted past potential

buyers have had an interest in the pond at the rear of the property, but it is on a separate lot currently.

Ms. Fillmore asked if the property had been actively marketed and Ms. Vorce noted it had been, but the "for sale" signs were removed during the harsh winter. Mr. Pontoriero asked questions about the lot line intentions and Ms. Vorce indicated she was not 100% certain how they would all be drawn when finalized. Mr. Duchesneau clarified the uses at the properties were not the problematic issue at hand as the Variance request would only be for the dimensional requirement of the contiguous upland. Mr. Markiewicz had concerns three lots would be created if the Variance were approved and Mr. Duchesneau noted this could be handled with a condition of the Variance if it were awarded. Mr. Markiewicz stated he would like some protection for the Town that another buildable residential lot could not be created.

Mr. Neville pointed out the contiguous upland area requirement is driven by service requirements and asked if the warehouse had a septic system and a well. Ms. Vorce indicated the warehouse did not have any potable water currently, but adjustments could be made by the financing entity. Mr. Neville asked what Ms. Vorce's timetable was for the proposal. She indicated she would take the feedback from the Planning Board and in the very near future put together a Variance application to send to the Zoning Board of Appeals. Ms. Vorce was hoping to have the new parcel on the market sometime in the fall.

Mr. Pontoriero asked if it would be possible to include the pond entirely on one lot. Ms. Vorce stated it would be preferable if both the warehouse and residential dwelling had access to the pond. Ms. Tang asked how deep the pond was and Ms. Vorce stated she was not certain, but it was around 13 feet deep when originally excavated. Ms. Fillmore had concerns the landscaping business at the property might leave and the new residential owner and new business could have disputes over the water in the pond. Mr. Neville indicated he was somewhat supportive of a Variance for the property and noted the Planning Board would now be familiar with this application should it come before them in the future. Mr. Markiewicz stated that from a financial perspective it appeared to make sense to split out the different uses at the property onto separate parcels.

100 Ward Road, 47 Cunningham Road, and 180 Hill Road (Jefferson at Beaver Brook) ANR

Bill Caulder from 6M Development was present on behalf of JPI to discuss the application with the Planning Board. He noted this Approval Not Required application was part of the Jefferson at Beaver Brook Comprehensive Permit project. Mr. Caulder indicated the area along Cunningham Road would be carved out and retained by the Gutierrez Company after the property was transferred to JPI, and Lot 3B, Existing Lot 2, and the Existing Ward Road Parcels would be left for the Comprehensive Permit project. He also noted the western half of Cunningham Road would be abandoned and the remaining portion of the road would become a dead-end private way.

Mr. Neville MADE a MOTION to endorse the 100 Ward Road, 47 Cunningham Road, and 180 Hill Road ANR Plan and to authorize the Planning Board Chair, the Planning Board Clerk, or the

Town Planner to sign the plan on behalf of the Planning Board. Mr. Markiewicz SECONDED the MOTION. All members voted in favor.

1065 and 1075 Burroughs Road Common Driveway Special Permit Minor Modification

George Gallagher of Habitech, Inc. was present to discuss the requested Minor Modification with the Planning Board. He indicated the easement for 1075 Burroughs Road had been executed, but the septic system had not been approved, and therefore the driveway location had to be adjusted in the field during construction. Therefore, the driveway was built outside of the originally approved easement area and a new easement document and plan were recorded by Habitech, Inc. at the Registry of Deeds which reflected the as-built conditions in the field. Mr. Duchesneau then clarified the existing parcel boundaries in the area. Mr. Neville indicated the request appeared to be a Minor Modification to the project.

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. Mr. Pontoriero SECONDED the MOTION. All members voted in favor.

Boxborough2030 (Master Plan) Update

Mr. Markiewicz indicated the Master Plan Update Committee was meeting two nights later, on Wednesday, July 29th, to go over the final draft pieces of the Boxborough2030 website.

With no further business, the meeting was adjourned at 8:31 PM on a MOTION by Mr. Markiewicz, SECONDED by Ms. Fillmore, with all members voting in favor.

On Behalf of the Boxborough Planning Board



Eduardo Pontoriero, Clerk