

Foxborough Planning Board
Meeting Minutes
March 3, 2011
Town Hall

Members Present: Kevin Weinfeld, William Grieder, Ron Bresse, Gordon Greene, Scott Barbato, Alternate John Rhoads

7:05 p.m. Request for lot release
“Kinsman Court” Subdivision
Thomas McGovern

Engineer William Buckley represented the applicant. He stated that Mr. McGovern is requesting the release of lot 1 in the subdivision. He stated that the roadway has not been built, so this request would need a waiver of the requirement for the road to be built before the lot is released. He stated that the lot would be sold so money could be gotten to construct the road. He stated that lot 1 has access on Belcher Road, although there is not enough frontage on Belcher, a temporary driveway could be constructed. The Board discussed the subdivision and members felt that they should require a surety. William Grieder asked for time for the Board to think about this request, stating that the developer needs to present some options for surety. W.Grieder also stated that the Board would need to see the location of a driveway. Scott Barbato suggested that Mr. McGovern request a variance from the Zoning Board to build on the lot. This variance would be needed until the subdivision road is built. W.Buckley thanked the Board and stated that he would discuss the options with his client.

7:20 p.m. Request for extension of Special Permit
“The Commons at Foxborough”
34 Pleasant Street
Wooding Development

Developer Ted Wooding was present. Kevin Weinfeld explained that the Board wanted to speak with Mr. Wooding to get an update on the project. T.Wooding stated that he didn't want to start this project without being able that he could finish it. He stated that his bank is still behind him, but he has two ongoing projects and once those projects are finished, the bank would then back this project. He stated that there was some work done since the approval was issued. He stated that the sidewalk on Pleasant Street was completed as required. Conservation Commission has extended their permit for 2 years; the Board of Health has also renewed his application. W.Grieder reviewed conditions of the approval: Letter of Credit: T.Wooding stated that this is not in place; Trees cut: T.Wooding stated that they were taken care of; Construction of sidewalk, curbing and aprons, water & sewer connections: T.Wooding stated that those have been completed; Condo Association by-laws: T.Wooding stated that they have not been done; Drainage: T.Wooding stated that this has not been done since it's part of the infrastructure of the project. W.Grieder stated that the Board wanted to get up to speed on the state of the project. T.Wooding stated that some significant money has been laid into this project and will be completed.

Yuhui Lin, 33 Pleasant Street –stated that he is a new neighbor and didn't know about the condo project when he purchased the home across the street from the project and is concerned about the

project. K.Weinfeld asked Mr. Wooding to show the elevation drawings of the project. T.Wooding stated that the real estate market seems to be better, there's only one house to be sold in the other project, once the road is accepted, the bond will be released and he can begin work on this project.

Motion by W.Grieder to grant a one year extension to the Special Permit for "The Commons at Foxboro". Seconded by K.Weinfeld. Unanimous Affirmative Vote (5:0)

**7:40 p.m. Continued Public Hearing – Special Permit
“Lamson Road Water Treatment Facility”
Foxborough Water & Sewer Department**

Engineers William Buckley and Robert Bell represented the applicant. He stated that they have received the necessary variances from the Zoning Board and the Conservation Commission closed their hearing. He stated that he took the comments from consultants and neighbors and made changes. He stated that there were no major comments from Maguire Group. As was requested by the abutters, the entrance road was moved to the south as far as they could; road is now 12' wide and will plant a row of white pines with the location to be determined in the field. He stated that they have done improvements on the Oak Street side so that floods won't wash out the driveway forcing the need to use the Cannon Forge entrance. Any deliveries are escorted by Water & Sewer employees and they will ensure that the Cannon Forge driveway is not used. R.Bell stated that neighbors would prefer not having chain link fence so it was removed. He agreed to have a condition that access on the Cannon Forge side would be for emergencies or extenuating circumstances but not for day to day operations.

W.Buckley stated that at the Zoning Board meeting, a representative of the Cannon Forge Homeowners' Association indicated that the association supports the project. R.Bell stated that they have met with the power company and all conduits will be buried.

Thomas Kurth, 11 Cobb Lane – stated that he represents the Homeowners' Association and they support the project with the changes proposed.

There were no more comments from the public.

Motion by W.Grieder to close the public hearing. Seconded by G.Greene. Unanimous Affirmative Vote (5:0)

Motion by W.Grieder to approve the Special Permit with the following conditions:

1. A representative from the Planning Board shall review and approve any additional clearing prior to the removal of the trees.
2. The applicant shall designate the access driveway on Cannon Forge Drive for emergency access only.
3. The vegetative screening around the building shall be maintained as long as this facility is in operation. Failure to do so will be considered a violation of this approval.
4. The drainage system shall be functional prior to an occupancy permit being issued for the structure. The applicant or successors are required to maintain the drainage system. Failure to maintain the drainage system will be considered a violation of this approval.
5. All site work must be completed within eighteen (18) months after the date of the issuance of the Building Permit.
6. The erosion control plan must incorporate measures to prevent storm-water and mud (from vehicles) from entering onto Oak Street during construction.

7. As built plans shall be submitted to the Board after construction.
 8. Any proposed change(s) from the approved site plans or additional site work deemed substantive by any Town official shall be presented for review by the Planning Board. The Board shall determine if there is a need for a public hearing and shall then act accordingly on the change(s). Approved revisions shall be illustrated on plans and submitted to the Board.
 9. Should the Planning Board have concerns with the level of lighting, intensity of the lights, or lighting spillage onto abutting properties or the street the Board reserves the right to require the applicant to adjust the level of lighting, the type of lighting fixtures or the location of individual lights.
 10. The applicant shall pay the cost of site inspections.
 11. This Special Permit approval letter shall be recorded either at the Registry of Deeds or the Land Court. All recording information shall be provided to the Planning Office.
- Seconded by G.Greene. Unanimous Affirmative Vote (5:0)

7:50 p.m. Town Meeting Zoning Articles Recommendations

The Board reviewed the recommendations for the zoning articles to be presented at Town Meeting based on the votes taken.

8:05 p.m. Discussion concerning the replacement of the Town Planner

K.Weinfeld stated that he met with Town Manager Paicos to discuss the advertisement for the Town Planner position. He distributed copies of the ad, job description and pay scale. He stated that the Board needs to theoretically hire someone who could step in to a department head position for the future Community Development Department which will oversee Planning, Zoning, Conservation, Building and Historic.

The Board discussed the ad and decided that the 10 year experience requirement should be to 10 year experience "preferred". The Board also changed the verbiage from "when the new Community Development Department is formed" to "if a new Community Development Department is formed".

K.Weinfeld explained that when Marc Resnick did his exit interview with Mr. Paicos, they discussed Marc staying as a consultant for the Board. He read letter from Marc offering his services as a consultant. The Board agreed to retain Marc's services during the transition period.

K.Weinfeld then discussed a proposal by Mr. Paicos' intern Tim Cummings to serve as acting Town Planner and proposing projects to do as part of that position. The Board discussed the proposal and chose to have Mr. Cummings research the online/software permitting system only and Mr. Cummings was not be considered the acting Town Planner. K.Weinfeld stated that he would discuss this with Mr. Paicos.

8:45 p.m. Meeting adjourned

Approved by: Kevin Weinfeld, Chairman

Date: April 14, 2011