

**Foxborough Planning Board  
Meeting Minutes  
April 5, 2012  
Town Hall**

**Members Present:** Kevin Weinfeld, William Grieder, Ron Bressé, Gordon Greene,  
Shannon McLaughlin, Alternate John Rhoads

**Also Present:** Planner Sharon Wason

**7:00 p.m. Review of old/new business**

**Planner's Report**

**Employee Pay Plan**

Sharon Wason stated that the official paperwork arrived with no impact on the secretary and Planner was reclassified with the Building Commissioner and the Town Engineer. She asked the Board to consider sending a memo to the Board of Selectmen supporting the plan with the caveat that the 23 employees being affected financially are given the extra step.

**Motion** by Gordon Greene to send a memo to the Board of Selectmen supporting the plan with the caveat that the 23 employees being affected financially are given the extra step. Seconded by Ron Bressé. Unanimous Affirmative Vote (5:0)

**Time off**

S.Wason asked permission to take a week off in May to accompany husband to a conference to St. Louis.

**Motion** by G.Greene to approve the vacation request submitted by Ms. Wason. Seconded by S.McLaughlin. Unanimous Affirmative Vote (5:0)

**MAPC**

S.Wason would like to run again for member at large in the Metropolitan Area Planning Council.

**Motion** by G.Greene to approve the request by S.Wason to run for member at large in the Metropolitan Area Planning Council. Unanimous Affirmative Vote (5:0)

**"Autumn Valley Estates" subdivision**

S.Wason stated that she would like to request that Norm Mullaney do a final inspection so the bond can be acted on and finish the subdivision.

Shelley Abrams, 23 Sullivan Way – stated that trees are not on the ground anymore. Mr. Moore installed the sign himself without any cement base. Street light hasn't worked in a long time, so a good portion of the street is unlit.

**Payson Road work**

S.Wason stated that there will be a Phase 2 kickoff meeting and will discuss staging area for Harding.

**7:15 p.m. Continued Public Hearing – Special Permit Accessory Apartment  
26 Villa Drive  
Patrick Geoghegan**

G.Greene recused himself and the Chairman appointed John Rhoads to vote on this matter.

S.Wason stated that the Board of Health has commented on the application and they have no concerns at this time. There were no comments from the public.

**Motion** by William Grieder to close the public hearing. Seconded by R.Bressé. Unanimous Affirmative Vote (5:0)

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

1. This permit is specific to the petitioner. It is not transferable, nor shall it run with the land.
2. Occupancy of the second unit shall be limited to the petitioner's father, Herbert Holzman. This Permit shall expire upon the home being sold or when the petitioner's father no longer resides in the unit.
3. This Special Permit shall be recorded at the Registry of Deeds and referenced to the deed of the parcel prior to its taking effect. A copy of the recording information shall be supplied to the Building Commissioner and Planning Office prior to a Building Permit being issued.
4. Any change(s) from this permit or any of its conditions deemed substantive by any Town official shall be submitted for review to 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).

Seconded by J.Rhoads. Unanimous Affirmative Vote (5:0)

**7:20 p.m. Public Hearing – Special Permit Accessory Apartment  
7 Shoreline Drive  
Joseph Lombardi**

Applicants Joseph Lombardi and Nancy Intoccia were present.

J.Lombardi stated that they are proposing to construct a 2 car garage with an apartment above it. A farmer's porch will be built on the front of the home. The entire house will have new shingles and new siding.

S.Wason read letter from the Board of Health requiring that a Title V inspection be performed. J.Lombardi stated that they would do a Title V inspection prior to obtaining a building permit.

J.Rhoads asked if the plans meet zoning dimensions. The Board reviewed the plans submitted and J.Lombardi stated that the plans are not final. W.Grieder stated that the hearing will have to continue so questions can be addressed.

**Motion** by W.Grieder to continue the public hearing to April 19, 2012 at 7:30 p.m. Seconded by S.McLaughlin. Unanimous Affirmative Vote (5:0)

**7:30 p.m. Discussion concerning the “Highlawn Farm” subdivision with John Galvani of Norwood Cooperative Bank**

John Galvani was present along with attorney George Tetler of Bowditch & Dewey.

J.Galvani informed the Board that they have closed in the two unfinished houses, outstanding taxes have been paid and they have started hauling rocks off the site. This work should be completed in the next two weeks. Rocks are being crushed offsite, but larger rocks will have to be crushed onsite.

Kevin Weinfeld stated that subdivision outstanding items have been previously discussed. The subdivision Covenant states that all construction needs to be completed by July 1<sup>st</sup> of this year and the Board would like to discuss the verbiage to be used extending the Covenant.

William Grieder stated that the Board has reviewed the commitments made by the developer concerning the Recreation Fields, have eliminated items and have a quote from the turf company that prepared the baseball field. He stated that the tally was \$600,000.00. There are 55 units left on the permit for the entire State Hospital redevelopment project and a cost per building permit would be assigned with a contingency for inflation. He stated that this would act like a performance bond, the per-unit assessment would be deposited into an account and if the developer does the work, they would get the money back. He stated that the project was broken into various areas and first thing to be done is paving the new entrance to the complex. Field construction would follow and consensus has been reached on what is necessary for the fields. He stated that other subdivision items to be done are:

- Lawton Lane needs to be cleaned up and trucks ordered not to use the entrance by the houses
- Earth removal permit needs to be filed.

G.Tetler stated that he looked at the subdivision permit and questions how the subdivision is connected to the other projects. Gordon Greene stated that the Chestnut Green special permit lists the requirements. Sharon Wason explained that there is a master permit for the project which includes Highlawn Farm.

W.Grieder stressed the need to revisit the affordability question; the list of what was promised has been whittled down, Recreation agreed to down-scope their expectations and obtained a cost estimate. This should be incorporated in the covenant extension.

W.Grieder asked if the project will be sold. J.Galvani responded that there are interested buyers and the question is whether the Town will issue permits, adding that the intent is not to stop the project. K.Weinfeld stated that the Board wants to reach a conclusion that all sides can be satisfied with. W.Grieder stated that with contingency the amount would be approximately \$12,000.00 per housing unit. He stated that the Town’s finance department can set up an agency fund for a performance bond because the Town doesn’t want to complete the work. He stated that paving can be done with SERSG prices which are lower than a contractor price.

G.Tetler asked what will happen if the project is completed but the other developer is not finished. K.Weinfeld stated that each developer would be responsible to finish the work assigned.

J.Galvani stated that they would like to resolve this as quickly as possible. He stated that they will clean up the road and will ensure that the section with no houses is used by the trucks hauling rocks.

Kevin Morrissey, 23 Lawton Lane – stated that it’s great to see the rocks moved, but the houses were never finished, roof drainage was never done and driveways were never top-coated. He asked the Bank representatives to consider the neighbors that have unacceptable conditions.

Shannon McLaughlin left the meeting.

**8:30 p.m. Discussion concerning Town Meeting Warrant Articles 20 & 21 concerning the discontinuance of a portion of Oak Street**

The Board discussed the warrant articles that are necessary due to the relocation of Oak Street that took place in 1980.

**Motion** by W.Grieder to support Town Meeting Warrant Articles 21 & 22. Seconded by R.Bressé. Unanimous Affirmative Vote (5:0)

**8:45 p.m. Request for extension of subdivision completion date for the “Kinsman Court” subdivision**

K.Weinfeld read letter received from Thomas McGovern requesting the extension of the subdivision completion date for “Kinsman Court”. After a brief discussion, the Board voted to extend the subdivision completion date for one year, to July 1, 2013.

**Motion** by W.Grieder to extend the subdivision completion date to July 1, 2013. Seconded by G.Greene. Unanimous Affirmative Vote (5:0)

**8:50 p.m. Request for waiver of Site Plan Review  
69 East Belcher Road  
Tom O’Brien**

The Board reviewed the request and plans to add parking spaces to the site to serve the cheerleading school. S.Wason explained that they would be disturbing more than 1,000 square feet, therefore a full site plan review should be required.

**Motion** by W.Grieder to deny the request for waiver of Site Plan Review for 69 East Belcher Road. Seconded by R.Bressé. Unanimous Affirmative Vote (5:0)

**9:10 p.m.** Meeting adjourned

Approved by: Gordon Greene, Clerk

Date: October 25, 2012