

**Foxborough Planning Board  
Meeting Minutes  
January 10, 2013  
Town Hall**

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

**Also Present:** Planner Sharon Wason

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

**Planner's Report**

**APA Annual Conference** – Planner Sharon Wason asked for permission to attend the Annual Planner's Conference in Chicago and also asked permission to use department funds to pay for the cost of registration and airfare. She stated that she would cover the costs of lodging, meals and incidentals.

**Motion** by Shannon McLaughlin to authorize the expenditure as presented by S.Wason. Seconded by Ron Bressé. Unanimous Affirmative Vote (5:0)

**"Fox Woods" Subdivision** – S.Wason stated that she met with Paul Chaggaris of the Walpole Cooperative Bank concerning the bond for the subdivision. He stated that the developers have filed for bankruptcy and the Town needs a "relief from stay" from the bankruptcy court in order for the bank to give us the funds to finish the subdivision. She requested permission from the Board to request Town Counsel services so the "relief from stay" can be filed.

**Motion** by Gordon Greene to authorize S.Wason to request Town Counsel services to help with this project. Seconded by S.McLaughlin. Unanimous Affirmative Vote

**7:05 p.m. Action Items**

**Request for release of performance guarantee – 30 Panas Road**

William Grieder stated that he cannot vote to release the funds since Mr. Panagopoulos needs to explain why the changes to the site were done without Board approval, especially since he has a history of this happening in the past. After a brief discussion, the Board recommended that Mr. Panagopoulos be invited to meet with the Board at the next meeting.

**Motion** by W.Grieder to request that Mr. Panagopoulos meet with the Board prior to a vote to release funds. Seconded by S.McLaughlin. Unanimous Affirmative Vote (5:0)

**7:10 p.m. Form A  
85 Cocasset Street  
Rosemary Smith**

Surveyor Richard Leslie of Bay Colony Group presented the plans. He explained that the land was originally subdivided and approved by the Board in 1999 and showed a copy of that plan. He stated that this plan moves the lot line to keep an existing shed in one of the parcels.

**Motion** by R.Bressé to approve the Form A plan since the Board found that no new lots were created and the existing lots have sufficient frontage and appropriate access on public ways. Seconded by S.McLaughlin. Unanimous Affirmative Vote (5:0)

**7:15 p.m. Public Hearing  
Special Permit – Accessory Apartment  
Jason & Sarah Hoyt  
1 McNamara Way**

**Motion** by W.Grieder to waive the reading of the public hearing notice. Seconded by R.Bressé. Unanimous Affirmative Vote (5:0)

Jason & Sarah Hoyt were present.

S.Wason read letters received from the following departments:

- The Department of Fire/Rescue and Emergency Services reviewed and approved the plan as submitted.
- The Health Agent stated that the septic system for the property has been installed and the Certificate of Compliance has been issued for a 5 bedroom single family home.

Sarah Hoyt explained that the revised plan was approved by the Building Commissioner. S.Wason explained that the Hoyts had previously applied for a Special Permit to construct the accessory apartment during the construction of the home, but withdrew the application since the by-law states that the home has to be an existing home prior to a Special Permit being granted. She stated that the Building Commissioner has issued a Certificate of Occupancy for the home. She stated that there's direct access from the mudroom to the apartment and there is sufficient parking on the site.

There were no comments from the public.

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

**Motion** by S.McLaughlin 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 parents, William and/or Lois Sullivan. This Permit shall expire upon the home being sold or when the petitioner's parents no longer reside 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. The kitchen facilities of the accessory apartment shall be removed when the accessory apartment is no longer needed unless the Planning Board determines the facilities (as altered or modified) are incidental and subordinate as an accessory use to a single-family dwelling.
5. 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 R.Bressé. Unanimous Affirmative Vote (5:0)

**7:25 p.m. Planner's Report – continued**

**Special Town Meeting Articles** – S.Wason stated that the Town has received a letter from the Attorney General's office approving the Special Town Meeting articles with a couple of corrections to the FPOD which will be addressed at the next Town Meeting.

**Housing** – S.Wason stated that she has been contacted by DHCD concerning a new Compact Neighbors Program.

**Conservation properties** – S.Wason also informed the Board that the Conservation Commission is looking for tenants for some of their properties. The Board discussed this situation and it was felt that this housing could be used to count as affordable housing. S.Wason suggested involving the Housing Authority since they have experience in dealing with rental properties.

**7:30 p.m. Continued Public Hearing  
Definitive Subdivision  
"Lincoln Hill Estates"  
Briarwood Construction**

Developer Mike Ferrone was present along with Surveyor Bill Self and Engineer Todd Pilling.

S.Wason read letter from Water & Sewer Superintendent Bob Worthley dated January 10, 2013 concerning the water line. The letter states that while the looping the water line back to Oak Street is not the perfect solution, the Water Department supports the plan. He also requested that a a two inch line be used to connect the water line to the existing two inch water line that serves two houses on Van Norden Road.

B.Self stated that Conservation required an ANRAD be filed; they are scheduled to meet with them next Monday. T.Pilling stated that they are keeping all the houses out of the conservation buffer zones and don't expect any issues.

B.Self stated that they met with abutters Mr. Evans and Mr. Woodall and feel that they can sell land abutting their properties.

The Board discussed Bob Worthley's letter. S.Wason stated that she would prefer the water to connect to Van Norden. B.Self responded that B.Worthley requested that a line be run to Van Norden along with looping the line back to Oak Street. J.Rhoads suggested that a double line not be installed, but rather the difference be donated to Water Department to help resolve some dead end lines.

John Woodall, 203 Oak Street – stated that he lives next to the drainage basin. He stated that there are a lot of trees that would be removed for the access road to the easement. S.Wason responded that an access road is probably unnecessary since the basin could be accessed from the subdivision road. G.Greene stated that the access could be moved to the other side of the pond. W.Grieder stated that the letter asking for waivers should be revised to include the request to eliminate the detention pond access on one side with a living buffer.

**Motion** by W.Grieder to continue the public hearing to January 24, 2013 at 7:30 p.m. Seconded by R.Bressé. Unanimous Affirmative Vote (5:0)

**8:00 p.m. Public Hearing  
Special Permit  
“Crossfit Torque”  
129 Washington Street**

William Buckley represented the applicant. He stated that they are proposing to construct a 4,000 sq. ft. building in the Highway Business zoning district, in WRPD Zone 3. He stated that a Special Permit is required due to impervious is over 15% of the lot. He stated that the area has been cleared and covered with crushed stone and is currently being used as a display area for the lumber yard. He stated that the building would have double garage doors to be used to do outdoor exercises. He stated that the plans show 20 parking spaces but the Building Commissioner Casbarra asked for 23 parking spaces so 3 spaces could be added. S.Wason stated that they could ask for reduced parking. G.Greene stated that he would prefer that all 23 spaces provided.

W.Buckley stated that they will use the existing curb cut. There will be no pole lighting, since no evening use and wallpacks would light the parking lot. He discussed the stormwater management plan which includes an underground infiltration system for roof runoff.

The Board discussed the esthetics of the building. S.Wason stated that they could use landscaping to beautify the building. R.Bressé suggested having contrasting panels on the lower portion of the building’s façade.

S.Wason read comments received from the Town’s departments:

- Conservation Agent Pierce wrote that they should file a RFD with the Conservation Commission if any work is done within 100’ of the wetlands.
- Building Commissioner Casbarra stated that 23 parking spaces should be provided.
- Inspector Norman Mullaney had several technical comments.
- Health Director Clifford wrote that the property will support an onsite septic system.
- Deputy Fire Chief Bagley wrote that the plans are approved as submitted.

W.Buckley stated that he will address N.Mullaney’s comments with the revised plans and will produce a letter outlining the changes.

He reviewed the outstanding items:

- Address comments from the Building Commissioner
- Address comments from N.Mullaney including adding a catch basin and uplifts on pump chambers
- Additional landscaping
- Breaking up front of building either by landscaping or building colors.

There were no comments from the public.

**Motion** by W.Griender to continue the public hearing to January 24 at 8:00 p.m. Seconded by R.Bressé. Unanimous Affirmative Vote (5:0)

**8:15 p.m. Discussion concerning the proposed Housing Trust**

Citizen’s Advisory Committee Chairman Larry Thomas was present for this discussion.

S.Wason stated that she drafted a memo that W.Griender wanted to discuss with the Board concerning the composition of the Trust Board. She stated that the establishment of the Housing Trust will be part of the next Special Town Meeting. She stated that there have been problems in other communities due to the Housing Authority not operating with the mainstream town government.

S.Wason reviewed some of the powers of the Housing Trust:

- Trust cannot borrow money without Town Meeting approval.
- Trust cannot spend money without BOS approval.
- Town Treasurer shall be custodian of the Trust.

The Board discussed the inclusion of an Advisory Committee member in the Trust. L.Thomas that he would discuss with this with Town Moderator Spillane.

S.Wason stated that rule changes would have to be approved or adopted by the Board of Selectmen.

**9:00 p.m. General Business – continued**

**Highlawn Farm**

S.Wason stated that she would like the Board to meet with developer John Walsh to discuss rocks and tree clearing at the subdivision. The Board agreed and asked that Mr. Walsh be invited to meet with the Board at the next meeting.

**Judge Brown property**

S.Wason informed that Board that a representative from the Department of Conservation and Recreation is meeting with Conservation Agent Pierce as the state is looking at acquiring the Judge Brown property.

**Compost Site**

Andy Felix will be meeting with Conservation next week.

**Foxboro Sports Center**

S.Wason stated that she met with rink owner Rich Touzos and his engineer, Rob Truax to discuss the rink expansion and expect to file an application very soon.

**9:30 p.m.** Meeting adjourned.

Respectfully submitted,  
Gabriela Jordan

Approved by: \_\_\_\_\_ Gordon Greene, Clerk \_\_\_\_\_

Date: April 25, 2013