

**Foxborough Planning Board
Meeting Minutes
July 10, 2014
Boyden Library**

Members Present: Kevin Weinfeld, William Grieder, Gordon Greene, John Rhoads, Ron Bressé

Members Absent: Associate Gary Whitehouse

Also Present: Planner Sharon Wason

7:00 p.m. Planner's Report

Ms. Wason gave the following report:

Bill Buckley reports that the contract documents and related change orders are completed for the Payson Road Recreation Complex and he's just giving them the once over one more time. Mr. Pacella has indicated that he'll be starting work mid- to late-August with most of the work done in the fall. The State is fine with the request for an 80% reimbursement in December, so the numbers all work out. The news has been posted on our "blog." We have 12 followers.

The Job Access Reverse Commute grant is still proceeding through Boston Metro Planning Organization approval process.

We had a good meeting to kick off the Subdivision Rules and Regulations (Stormwater) update with Mr. Rhoads, members of the MAPC, the Conservation Agent and the Town Engineer.

Two job postings have gone up in town hall today so personnel issues seem to be ironing themselves out.

The Harris's will be before the Board again for their accessory apartment on July 24th. They did not file their application with the Town Clerk the first time so it will need to be heard again.

The Scenic Road sign estimates came in, 30 standard 12"x18" reflective aluminum signs will cost \$331.50.

Ms. Wason met with the Town Manager and presented some of the Boards issues including the Master Plan 3rd Phase Bidding. We should have a consultant by September.

The RFP for the next phase of the Master Plan will be an updated version of the one used before. A Thank You letter is needed for Kathy McCabe, Ms. Wason will be sending that out.

There is one year and ten months left on the Housing Trust before it expires, the best use for the funds needs to be determined. The funds should be coming in soon. The Board discussed the multi-family house on Market Street; the availability of sewer in the area soon should help that project along. Housing Authority Chairman John Michelmores claims that the flow has already been purchased by the Housing Authority; the Water Department cannot confirm this but will not dispute it either.

Ms. Jordan will begin working on the Green Communities with Becky Snow soon.

7:15 p.m. Deliberations concerning 35 & 45 Panas Road Site Plan

The Board reviewed the draft decision prepared by Ms. Wason. The Board would like the Water and Sewer Agreement in regards to the looping of the water line between Panas Road and Willis Lane to be attached as an Amendment once it is received in writing.

A motion to approve the Site Plan Review of 35-45 Panas Road for Red Snapper Realty Trust with the conditions below was made by Mr. Grieder and seconded by Mr. Greene. The motion carried 5-0-0.

CONDITIONS:

1. The improvements, facilities, amenities, and alternations shown on plans dated entitled "Site Development Plan of Land #35 & #45 Panas Road" dated November 11, 2012 (last revised May 14, 2014) prepared by the Bay Colony Group stamped by William R. Buckley, Jr. P.E. and Richard J. Leslie, RLS. are incorporated as requirements and conditions of this approval.
2. The applicant shall provide a performance guarantee in the sum of \$30,000 to secure the completion of all required fixtures, appurtenances, amenities, and improvements, including landscaping, wetland and upland replication areas, drainage system, pavement installation and striping, and as-built plan.
3. The applicant shall pay the required inspection fee prior to any site work occurring on the property or the issuance of a building permit.
4. The conditions of this Site Plan Approval shall be added to the final set of approved plans submitted to the Board for signatures.
5. A representative from the Planning Board shall review and approve the limits of clearing **prior to** the removal of the trees. The intent of this provision is to ensure that as many mature trees as possible are retained on the site.
6. The vegetative screening and fencing around the parking lot shall be maintained as long as the facility is in operation. Failure to do so will be considered a violation of this approval. In the event of a maintenance failure, the applicant shall be provided notice and the reasonable opportunity to cure any such deficiency; the applicant's failure to cure will be considered a violation of this approval. The existing vegetation between 35-45 Panas Road and the Davis residence at 20 Willis Lane shall be maintained; if determined insufficient by the Board, additional screening and/or fences shall be required.
7. There shall be no vehicular access to the site from Willis Lane, except for incidental use by a watchperson or caretaker residing at the existing dwelling.
8. The drainage system shall be functional (re: soil stabilized, rip-rap installed, basins grassed, etc.) prior to an occupancy permit being issued for the structure. The applicant shall install oil & grease traps in the catch basins.
9. The applicant or successors are required to maintain the drainage system. Catch basins shall be cleaned at least twice yearly, once in the spring and once in the fall. Failure to maintain the drainage system will be considered a violation of this approval. In the event of a maintenance failure, the applicant shall be provided notice and the reasonable opportunity to cure any such deficiency; the applicant's failure to cure such deficiency in maintaining the drainage system will be considered a violation of this approval. Periodic stormwater system maintenance reports shall be submitted annually to the Board.
10. 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.

11. The Applicant shall install and maintain tree protection fencing and other protective measures for landscaping to be preserved. The tree protection fencing shall be located so that construction activities and site alterations do not disturb the root zone of the trees designated for preservation. The Board's Inspector may order that the protective measures be relocated to better protect trees and landscaping to be preserved. The Applicant shall replace any trees and landscaping designated to be preserved, which were damaged, killed, or removed as a result of construction activities.
12. Pursuant to Town of Foxborough General By-Laws Article V. no outside work including, but not limited to, construction, renovation, demolition, loading or unloading materials, and equipment operations, may be performed between the hours of 7:00 p.m. to 7 a.m. Monday through Saturday or all hours on Sunday.
13. All required sedimentation and erosion controls shall be in place prior to the commencement of construction. The Planning Board inspector shall be contacted for inspection prior to the commencement of construction. The best management and maintenance practices for the site shall be complied with at all times, including after the issuance of a Certificate of Occupancy for the premises.
14. The Applicant shall notify the Planning Board in writing two or more working days prior to the following construction milestones or as otherwise instructed by the Board or the Planning Board inspector:
 - a) commencement of work on-site;
 - b) installation of stormwater management facilities;
 - c) installation of trees and other landscaping features;
 - d) prior to the final paving of the parking lot and drives; and
 - e) completion of site work.
15. Should the Applicant construct the facility in phases, the northerly building shall be one phase and the southerly a second. Associated site work may be phased in conjunction with the building phases. All associated Site work must be completed within eighteen months of the issuance of a Building Permit for the building(s).
16. Any pavement within the public right-of-way shall be properly cut, patched and sealed/infrared and, if necessary, the disturbed portion of any street shall be overlaid with pavement. This work shall be inspected and approved by the Department of Public Works and the Board's Inspector.
17. The agreement between the Applicant and the Board of Water & Sewer Commissioners regarding the looping of the water line between Panas Road and Willis Lane is incorporated into this Approval. A copy of that Agreement shall be filed with the Town Clerk. Once the location of the water line is known, appropriate easements shall be created and granted to the Town. Should abutter Davis desire to be connected to new water line, the Applicant shall work with him to resolve any issues.
18. All signs installed on site shall comply with section 15B of the Foxborough General By-Laws. Signs to be installed per the specifications of the Town of Foxborough.
19. Handicapped access and facilities shall comply with the Americans with Disability Act and Architectural Access Board standards.
20. As built plans shall be submitted to the Board after construction and prior to the release of the performance guarantee.

21. All construction shown on the site plan must be completed prior to the issuance of an occupancy permit.
22. Site plan approval shall lapse if construction is not commenced within twenty-four (24) months from the date of approval.
23. 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.

Correspondence Review

“Chestnut Green”

A request has been received from Matt Abrams to release \$50,000 of the \$100,000 bond for landscaping that was completed at Chestnut Green.

A motion to return \$50,000 to Matt Abrams for landscaping at Chestnut Green was made by Mr. Weinfeld and seconded by Mr. Grieder. The motion carried 5-0-0.

This will be sent by Certified Mail so the office will have proof of delivery.

“Highlawn Farm” subdivision

A letter was received from John Walsh of Walsh Brothers Construction that they will be completing the curbing in August on Lawton Street, Mann Street and part of Plimpton Street. The Board would like to remind him about the catch basins and that they would not accept the street until the roof drain matter is dealt with.

A memo has been received from Vince O’Neill in regards to adding a 1,000 square foot addition at the rear of the offices at Chestnut Green. The existing tenant needs additional space. This was first discussed three years ago.

Ms. Wason noted that Sovereign Environmental had 17 vehicles parked there on Monday morning in spaces meant for the residents. They also constructed a plastic shed on the property just under 100 sq. ft.

Mr. O’Neill will be invited to the August 14th meeting to discuss this request. The punchlist will also be reviewed at that time.

**7:30 p.m. Public Hearing – Site Plan Review and Special Permit
Gillette Stadium Traffic and Access Improvements
Washington Street – NPS LLC**

A motion to open the Public Hearing and to waive the reading of the notice was made by Mr. Grieder and seconded by Mr. Greene. The motion carried 5-0-0.

Mr. Weinfeld recused himself from this hearing as he is related to an abutter of the project. Mr. Grieder took over as Chair.

Mr. Rhoads disclosed what may be a perceived conflict as his son works for Vanasse, Hangen, Brustlin and Associates, who are the traffic engineers on this project. His son does not work for this group

directly however, he is in Watertown and they are out of the Worcester office. He is electing to sit on this hearing due to necessity. The Board had no issues with his disclosure.

A motion to allow Mr. Rhoads to sit on this hearing was made by Mr. Bressé and seconded by Mr. Greene. The motion carried 3-0-1 with Mr. Rhoads abstaining.

Mr. Grieder explained how the hearing would proceed; the applicants will give a presentation, followed by Board questions and then audience questions.

The applicants have met previously with the Board informally and have also met with the abutters.

Atty. Peter Tamm of Goulston and Storrs represented the applicant, NPP, LLC. Also present was Dan Krantz of the Kraft Organization, Jeff Dirk of Vanasse and Associates, Bill Buckley of Bay Colony and Craig Lizotte of VHB.

Atty. Tamm explained that they had conducted a neighborhood meeting, but not all abutters got the notice so they will be conducting another forum in the future.

They have also met with the Department Heads and Public Safety officials about this project and will be meeting with the Conservation Commission, the Route 1 Business Owners and the State DOT.

This is a new land acquisition by the Kraft Organization that they would like to use for parking access improvements and to help alleviate traffic along Route 1. They are proposing two employee lots, one on the former Kazanjian property and one on the former Clair property at 119 Washington Street.

The 119 Washington Street lot (Employee Lot A) was previously approved as a private lot for patrons of the stadium events. This plan will be a modification of that plan as it will only be used for employees of the stadium. The employees will park at the lot and be shuttled to the Field House behind the stadium. This lot will be under police control and will be gated. All previously proposed buffers will be maintained and supplemented. Their intent is not to disrupt the neighborhood.

Currently stadium employees part at lots P10 and P11 directly across from the stadium.

They are in receipt of comments from the Town Engineer and will be addressing them.

Dan Krantz of the Kraft Organization explained that the purpose of creating this lot is to improve the fan experience by trying to alleviate some of the traffic and to help manage the traffic better. This lot will only be used for major stadium events (Patriot games, large concerts) and will be for stadium employees only, not employees of Patriot Place.

Jeff Dirk of Vanasse and Associates who has been working with the Kraft Organization for over ten years stated that there will be no change to the total volume of traffic and will not be adding additional traffic, the intent of the project is to re-allocate the employee parking from the stadium to these two lots by shifting some of the traffic. Having the employees' park at these two lots will free up capacity at the stadium. The traffic plan is updated annually.

Lot A will have two driveways, one on Route 1 and one on Route 140. Mass DOT would prefer that the Route 140 drive be used. The employees will be assigned to these lots depending on where they are coming from, these employees would be coming from South of the stadium (Rhode Island, Attleboro, etc.)

Lot B will be accessed via a Route 140 connector; there is an old street layout near to the former MOM's Motorcycle Dealership that will be used that runs parallel to Route 1 and will exit behind the Bass Pro Shop to the stadium property. The access points will be controlled by the State Police.

Event Management Staff will control the parking of the cars and summoning the shuttle from the stadium to the lots, the shuttle will use the connector road to stay off of Route 1.

The only traffic point will be between the connector road and the access across Route 140. This will also help to improve emergency access to the stadium by creating a new access road for emergency vehicles.

These employees usually arrive early and leave late. The only time the bus will be idling is while they are loading and unloading employees; they will not be kept at the lots but will stage at the Field House.

The size of the buses has not been determined yet. Mr. Krantz stated that they are looking into alternative fuel source vehicles, such as natural gas.

Parking Manager Matt Piekarski noted that the buses will have a 40 – 50 person capacity for efficient moving of employees with smaller vehicles being used at the end of the night.

Atty. Tamm summarized that this will be beneficial to both Route 1 traffic and has public safety benefits. The Kraft Organization will continue to try to develop the current P10 and P11 lots into a high tech office park as it has been identified as a priority development area. They are also building these lots to supplement parking that was displaced by the CVS and other developments.

The buffering of Lot B which is in the Commercial Zone will be significant and there will be no public access. Lot A already has the required buffers but they will be supplemented. All areas will be gated and there will be no pedestrian access.

The Board members asked that the gate be made less industrial looking.

The lots will only be lit while in use.

If the lots and the access road were ever to have a change of use from employee parking, they would need to come back to the Planning Board for a change of use and would have to go through the usual hearing process.

Mr. Grieder noted that the lots will be governed as all other lots on Route 1 are and subject to the same regulations as the other lots requiring an annual hearing and review.

Police Chief Ed O'Leary stated that the biggest issue is the movement of traffic at the end of events, the southbound traffic becomes clogged and it becomes difficult to move around. He utilizes bike patrols in the parking lots during these times. Using an alternative route during critical times by adding a third access and egress has a value.

Mr. Piekarski noted that the lots will be operated the same as the existing employee parking area, a pass will be issued for the employee to use a specific lot and road. It will be for use by the employee only, no family or guest use would be allowed and there will be no tailgating in these lots.

The Board asked if any protective structures would be erected. Mr. Piekarski stated that they would construct shelters that would be consistent with usual public shelters.

Mr. Rhoads asked if a lighting plan has been submitted and if they will be paving the access road. The lighting plan was submitted and they only plan to pave the driveway access, the rest will be gravel.

Craig Lizotte, P.E. of VHB stated that the lots will be developed using Mass Stormwater Regulations and the driveway will be paved to avoid rutting and damage by plowing, etc.

Mr. Lizotte has met with the Town's consultant, Dom Rinaldi, P.E. of BSC Group, and is comfortable that he will be able to address his concerns.

They have also had a preliminary discussion with Mass DOT District 5; they will not be allowed to direct any drainage to Route 1 or Route 140.

The discussion continues after the opening of the next Public Hearing.

8:30 p.m. Continued Public Hearing – Forge Estates, 204 East Street

The applicant has requested a continuance of this hearing.

A motion to open the Public Hearing and to continue it to July 24, 2014 at 8:30 p.m. was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 4-0-0.

Gillette Stadium Traffic Improvements (continued)

Mr. Piekarski noted that the employees will be arriving early before games, for example they arrive between 7:00 a.m. and 8:00 a.m. for 1:00 p.m. games. There should be two waves of employees leaving, the first when alcohol service is shut down before the event is over and rest from about an hour after the event to as late at 2:00 a.m. for a night event. The concerts would have a similar schedule. They are proposing a larger vehicle in the beginning and will downsize to a van by the end of the night.

Mr. Rhoads had concerns with the noise of the late buses and asked if there could be a contingency in the Special Permit or Annual Report.

Ms. Wason wanted to know the total number of events. Mr. Piekarski stated it would be ten regular Patriot games and up to two playoff games as well as concerts which usually average about three per year.

Comments from the public:

Resident Ed Lawton of 70 North Street commented that due to the increased traffic in the neighborhood he has learned to stay away from Route 1.

Jeff Wilson of 10 Wisteria Way, Wrentham commented that the traffic on Route 140 will be increased; he also always has to clean up the trash thrown out of passing cars. He is also concerned for his property value.

Paul McDonald of 32 Pierce Street stated that it's a great presentation on paper but Route 140 is a two lane road thirty feet from his house and it is congested for at least four hours every game day. He is also concerned about the barrier between commercial and residential.

Mr. Grieder stated that traffic improvements will be addressed during this hearing.

Mr. Wilson is concerned that the employees will start using Route 140 from Wrentham further increasing the traffic near his house.

Debbie Sulham of 12 Pine Acres Road is also concerned with the volume of traffic and if all the employees could be told to use Route 1.

Mr. Krantz explained that no improvements to Route 140 are proposed at this time, Mass DOT did not see the need. The plans were sent to them a month in advance of this hearing.

Mr. Greene asked if they could project the hourly traffic through the area.

Leila McNeff of 41 Cross Street wanted to know the total number of parking spaces. Atty. Tamm stated that there were about 1,000 spaces between the two lots, Lot A would have 550 and Lot B would have 630.

Joe McDonald of 3 Meadowview Road but grew up on Pierce Street stated that there are many accidents at the Route 140 island and the stop sign is usually run over every time it is put back up. Where they are proposing to put the driveway is a very dangerous area without good visibility.

Other neighbors in the area noted the loss of their mailboxes due to accidents.

William Duggan of 40 Pierce Street stated that the traffic uses the breakdown lane on Route 140 on a regular day and on game days the traffic is insane. He also has concerns about the drainage; he already gets water in his basement and does not want more water coming on his property.

Mr. Buckley stated that the stormwater design is the same as was proposed in the 2007 application. There will be a basin near the entrance and berms on the sides. He also noted that there is a high water table in the area with poor soils.

Mr. Buckley discussed the berm. There are several options under the bylaw with berms, fencing and natural buffers. They are proposing a four foot berm with six foot spruce trees six feet apart as well as a vinyl fence in between. There are also 150 feet of existing trees that will be left alone.

Pat Brooks of 20 Wisteria Way, Wrentham, asked about the lighting and the idling of cars in the lot. Mr. Buckley stated that the lights will only be used during events but will stay on until all the employees leave. A lighting plan was submitted with the plans. Mr. Lizotte stated that the plan will be consistent with other lots; the lights will be on 30 foot poles and will be directed downward to minimize light spillage off of the property. He also noted that the Wrentham side of the property will have a six foot chain link fence which will connect with the existing vinyl and wood fences so there will be fencing all around the property.

Atty. Tamm noted that the lot will not be used as a patron lot so there will be no problems with tailgating and the employees will be responsible for their conduct to management.

Mr. Grieder stated that the decision will include a condition that the Board reserves the right to call them back if there are lighting issues.

Mr. Greene would also like to see a condition requiring a certain number of hours before the lots are cleaned so it can be monitored.

Jay Brooks of 20 Wisteria Way, Wrentham asked if they could be part of the neighborhood meeting and if the old Special Permit allowed access onto Route 140. Atty. Tamm stated that the previous plan is not being implemented; they feel that this is a better, more appropriate use. He also noted that the traffic plan has to work in order to get approval from Mass Highway.

Janice Fisher of 34 Pierce Street stated that due to the poor design of the Route 115/140 interchange she has lost eight mailboxes and a tree. She cannot get out of her driveway on game days and fears that this will have a further impact on the neighborhood. Mr. Krantz stated that they will have a discussion with the District 5 office.

Sally West of 25 Wisteria Way, Wrentham, also wants to be notified of any neighborhood meetings.

Kristen Geuss of 30 Wisteria Way, Wrentham, fears this will become a patron parking lot.

Bob Boette of 22 Carmine Ave. speaking as a member of the Lutheran Church at 212 Main Street feels that the additional traffic will make it even more difficult for the church members to get to services as there will be more traffic on Main Street (Route 140).

The Manager of the Seasonal Specialty Store on Route 1 had concerns with cab drop offs that happen on his property.

Mr. Bressé has concerns about the late night use and if the late working employees could use the other lot not near residential.

Lori McDonald of 3 Meadowview Road feels that this is not a necessity, but a convenience for the Kraft Organization; she feels that they should use the access on Route 1 and not Route 140.

William Butt of 154 North Street asked if the traffic could be mitigated.

A motion to continue the Public Hearing to July 31, 2014 at 7:30 p.m. was made by Mr. Bressé and seconded by Mr. Greene. The motion carried 4-0-0.

Mr. Weinfeld rejoined the Board.

Discussion of New Town Hall Proposal

Mr. Rhoads updated the Board on the progress of the Town Hall Working Group. They have fifteen people on this Board that split into subcommittees to study different aspects of the issues. Mr. Rhoads is on the subcommittee evaluating sites for town hall. They are down to two areas, the existing Town Hall property or behind the Public Safety Building at Chestnut Green. This was determined through an evaluation process.

The Public Safety site would be contrary to the Master Plan which calls for Town Hall to remain in the downtown area.

Mr. Greene noted that during the Master Plan process it was discovered that townspeople would prefer to keep Town Hall downtown, he does not feel that this was taken into account during the group's ranking process.

Town Manager Bill Keegan noted that Dedham rebuilt their Town Hall in the center of town. He also noted that if the Town Hall ends up moving, the old fire station, funeral home and town hall could be sold to get them on the tax rolls.

Mr. Greene noted that building an office building on the site of the present Town Hall would not be a good transition between downtown and the residential district.

The economical choice is behind the Public Safety Building, the community preference is the current location even though it will be more expensive.

The Board would like to see Town Hall stay downtown.

The meeting was adjourned at 11:05 p.m.

Respectfully submitted,

Diana Gray

Approved by: William Grieder _____

Date: 9/12/14