

**Foxborough Planning Board
Meeting Minutes
September 11, 2014
Boyden Library**

Members Present: William Grieder, Gordon Greene, Gary Whitehouse, John Rhoads, Ron Bressé

Members Absent: Kevin Weinfeld

Also Present: Planner Sharon Wason, Staff Planner Gaby Jordan

7:00 Review of Old/New Business

Planner's Report

The work at Payson Road is moving along.

Ms. Gray has been impaneled on a jury in Fall River for the next couple of weeks.

In regards to the Master Plan, Ms. Wason has reviewed the RFQ responses, only two were received. She would like to re-advertise for October.

A motion to reissue the RFQ for the Master Plan was made by Mr. Grieder and seconded by Mr. Greene. The motion carried 5-0-0.

There are three zoning Warrant Articles to be submitted for Fall Town Meeting. One deals with Accessory Apartment definitions, one is to add the Foxborough Center Overlay District (FCOD) to section 2.2 and the FCOD Map as Appendix C and one is to change the definition of Height, Building.

A motion to submit a Warrant Article for a new definition of Accessory Apartment was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 5-0-0.

A motion to submit a Warrant Article to add the Foxborough Center Overlay District (FCOD) to Section 2.2 and the FCOD Map as Appendix C of the Zoning Bylaws was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

A motion to submit a Warrant Article to amend the definition of Height, Building was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 5-0-0.

Mr. Rhoads updated the Board on the Town Hall working group. A FAQ section has been added to the website and will be an article in the Reporter. An RFP is going out soon. They plan to move forward with the costs for design by Town Meeting. They are proposing a new building behind the current Town Hall. The next step is to get information out to the public.

Mr. Rhoads also spoke of a side project with Mr. Greene and traffic engineer Jack Gillon on improvements to traffic on the Common. The met recently to discuss both vehicular and pedestrian traffic and are encouraged by the ideas presented.

Mr. Grieder and Ms. Wason attended the Advisory Committee meeting recently with other members of the Billboard Advisory Committee. AdCom was not in favor of the electronic billboard section being proposed. The Billboard Advisory Committee will be meeting again on Monday (September 15) to discuss removing that provision from the reworked sign bylaw. Perhaps a non-binding referendum could be presented to see if the townspeople are interested in electronic billboards or not.

Ms. Wason will be working on the Fire House RFP for Town Meeting, as well as the Forestry Grant and continue working on the Comprehensive Permit for the ZBA. The Mass Downtown Initiative is expected to come out soon, when this is available Ms. Wason would like to apply under Wayfinding and Parking.

Ms. Wason will be in Dallas October 10 – October 16.

The Wyman Village Comprehensive Permit site walk will be on Saturday at 9:30 a.m. Bill Buckley will be coming to the October 9th meeting to brief the Board on the project. The Zoning Board feels that density is an issue and would like the Board's opinion.

Active Subdivisions

Highlawn Farm

In regards to Lawton Lane, Ms. Jordan updated the Board on the street trees. Mr. Walsh would like to hold off on planting street trees on the section of the road in front of the King lots until construction is complete. The trees will need to be in for a growing season before the Bond can be released. Mr. Walsh would like the street accepted at the spring Town Meeting. The storm drain has also been moved away from the driveway that it was located in front of. Neil Kaiser of 11 Ridge Road asked if the change to the drain in this subdivision was discussed with the Board. Ms. Jordan explained that the relocation of the storm drain was done by request of the Board and the new location will be shown on the as-built plans when they are submitted. The final asphalt coating also needs a year of wear. The Board would like a reminder letter sent to Mr. Walsh informing him that the bond will not be released until a year has passed for both the road and the trees.

Continued Public Hearing – Site Plan Review – James & Pamela Gibson, 14 Mechanic Street

James Gibson and engineer Shane Oates were present. Mr. Oates explained that this site has an existing 2 ½ story wood structure containing a business and studio apartments. Mr. Gibson would like to make it a three story building with retail on the first floor and single bedroom/studio apartments above. They would provide five additional parking spaces. The impervious increase will be recharged under the parking area.

There are parking issues with the overlay district, no parking is allowed within the building setbacks.

Ms. Wason stated that the Foxborough Center Overlay District has parking requirements consistent with the zoning in the center of town and the residential parking cannot be reduced in this area; eight spaces would be required on site, one for each bedroom. On street parking cannot be considered a solution to the parking requirements.

Three or fewer dwellings would be allowed through Site Plan Review, four dwellings would also require a Special Permit, Design Review will also be needed.

Mr. Gibson is the first applicant under the new Zoning recently approved, there are still issues that need to be worked out besides the parking requirements.

Ms. Wason would like to give the applicant the option to withdraw at this time until the issues are resolved; she also suggested a credit of \$1,000 towards any new application.

A motion to allow the applicant to withdraw without prejudice and to grant a \$1,000 credit towards any future applications was made by Mr. Rhodes and seconded by Mr. Bressé. The motion carried 5-0-0.

Continued Public Hearing – Site Plan Review and Special Permit Gillette Stadium Traffic & Access Improvements – Washington Street NPS LLC

Ms. Wason read the comment letters received into the record. There were comments from the Fire Department dated July 2, 2014, the Fire and Police Chiefs dated July 8, 2014, abutters Margaret and John Bondorew dated July 9, 2014, the Board of Water and Sewer Commissioners dated July 9, 2014, the Board of Health dated July 10, 2014, additional comments from the Board of Water and Sewer Commissioners dated July 29, 2014, a copy of a memo sent to the Conservation Commission from the Department of Public Works and three letters from Wrentham resident John “Jay” Brooks dated August 13, 2014, September 5, 2014 and September 11, 2014.

Dan Krantz of The Kraft Group was present along with engineer Bill Buckley of Bay Colony Group; engineer Craig Lizotte and engineer Dave Fenstermaker of VHB; attorney Peter Tamm and attorney Dave Lewis of Goulston & Storrs; engineer Jeffrey Dirk of Vanasse and Associates; and Matt Piekarski and Woody Beals of The Kraft Group.

Mr. Krantz reviewed a PowerPoint presentation of the project. Lot A is proposed to have 550 parking spaces and Lot B is proposed to have 614 parking spaces. The Kraft Organization is in need of additional parking spaces to make up for the loss of spaces by the building of the CVS and a new hotel. Satellite parking areas will still be important but they would like to create these parking lots for the stadium employees.

Mr. Buckley reviewed the proposed lot off of Washington Street and Route 140 (Lot A). He was the representative for the Clair’s in 2007 that were granted a permit for a gravel lot. After the permit was granted, the applicant passed away and the parking lot was never built. This parcel contains nine acres zoned R-40 in the back and S-1 in the front. Mr. Buckley noted that the lot is heavily wooded and they would also be installing a buffer with trees and six foot fencing on a four foot berm. The entire lot would be fenced for security purposes. There would be a decorative gate installed at the Route 140 entrance along with landscaping. This driveway would be low in relation to the neighbors.

Mr. Rhoads asked if the driveway could be moved away from the neighbors, Mr. Buckley said it cannot due to the location of the detention basin.

Mr. Dirk reviewed his traffic study from June 2014 and a follow up recently prepared. They studied the Route 140 traffic flows both with and without the NFL games. He also reviewed the employee arrivals and departure times that usually occur. MA DOT stated that there is an average of one crash per year and they see no safety deficiencies at this time and have no plans to require any changes in the area.

Ms. Wason stated that she attended a meeting at MA DOT with Town Manager Bill Keegan, Mr. Grieder and Mr. Rhoads and they were also told that there are no problems in the area and the state has no plans for any changes.

Susan Graf of 380 Mill Street in Mansfield whose father is Paul McDonald of Pierce Street asked if the Highway Department could be asked about how many times they have had to replace signs in the area due to the number of accidents.

Robbie Lottero of 236 Main Street stated that she has had \$70,000 in damage to her property over the years and thinks the town should do something to address this area.

Joel Whitcomb of Wrentham thinks that the intersection is already badly designed.

Mr. Dirk stated that the traffic management plan would be the same as on Route 1 as that is what the state requires. The stadium and the Police Chief determine the number of officers at any one location. Signage and cones will be used to direct traffic in the area also.

He noted that there is 500 feet of sight line from the middle of the road and 300 feet of sight line from the curb. Detail officers will be present at the entrance driveway.

A permit will be required from the state; they will issue a permit under the Traffic Management plan.

Ms. Wason asked about lighting. There are currently four streetlights in the area, including one at the access drive. Supplemental lighting will be used.

Mr. Grieder asked if the Chief of Police determines that the Traffic Management Plan is inadequate, how would be it changed. Matt Piekarski stated that the plan is updated annually and can be modified. The Chief is asked after every event if any changes are needed.

Mr. Grieder also asked what the differences were between this application and the previous one from 2007. Mr. Krantz stated that the entrance would be under police control and this lot would only be used for employees; the capacity remains about the same as the previous proposal.

Neil Kaiser of 11 Ridge Road who previously lived at 36 Pierce Street since 1954 stated that there have been many accidents on that road, schools won't pick up children there because a car once hit a bus; he suggests the Board check with the school department to verify this. He also asked where the water in the detention basin will go, will it get to the road; this area can be slippery in the winter already and also when the road is wet.

Jan Fisher of 34 Pierce Street stated that her neighbor got into an accident on Tuesday when a car rear ended her near her driveway and that was not on a busy night.

Margaret Bondorew of 42 Pierce Street stated that the Kraft's are not giving any consideration to the neighbors.

Ms. Lottero asked about the cost of moving the water pipes under the road. Mr. Krantz responded that they are having discussions with the Board of Water and Sewer Commissioners; this is for the lot at the former MOM's location.

Joe McDonald of 3Meadowview who previously lived on Pierce Street stated that they would have a hard time finding police for this detail due to the safety issues. The previous applicant heard the concerns of the neighbors and decided not to use Route 140 for access; he suggests that the Kraft's should do the same.

Mr. Greene would like traffic counts on Main and Pierce Streets.

Bob Boette of 22 Carmine Ave. who is a member of the Lutheran Church is concerned how the traffic will affect their congregation.

Pat Brooks of Wrentham asked how long the traffic detail would be required to be there. Mr. Krantz stated that they would be there as long as the traffic management plan called for it.

Bill Duggan of 40 Pierce Street stated that they probably don't have a lot of accident reports on Sundays as the traffic is moving so slow.

Mr. Bressé asked if the Krafts would be willing to make some improvements at the Route 140/Route 115 intersection. Mr. Krantz told the Board he would look into it.

Mike Small from Seasonal Specialties asked if the Route 1 access would be used. Mr. Krantz stated that would be a discussion for the Mass State Police.

Mr. Grieder asked what other options they would have for the property if this is denied. Atty. Tamm stated that Lot A will be developed one way or another, this is one of the last large scale lots on Route 1. They do have a curb cut on Route 1; things such as commercial office and restaurants are allowed. This project is asking for 5% per year use and would be limited to employees only.

Jeff Wilson of Wrentham feels that 550 cars out of the thousands on Route 1 is not a lot and asked if the employees could use Route 1 and the buses use Route 140.

Mr. Grieder stated that if the lot is paved and used as a commercial lot, it would be licensed through the Board of Selectmen and no Planning Board approval would be required.

A motion to continue the hearing to September 25, 2014 at 8:00 p.m. at the Ahern School Auditorium on Mechanic Street was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

Active Subdivisions

Ms. Jordan stated that the street lights are on at Autumn Valley Estates.

She has met with Town Engineer Chris Gallagher; there are enough funds to finish Fox Woods but not for Pleasant View Estates. The Board of Selectmen will be asked on September 23rd for permission to spend available funds to get work done before winter. An estimate for the work will be forwarded to the Board.

The stormwater basin at Fox Woods needs work; street trees are still needed also. This will be put on a future agenda.

In regards to Sullivan Way, Mr. Gallagher is working with the landscapers and Tree Warden Dave LaLiberte will be looking at the trees to see what needs to be replaced.

Minutes

The Board reviewed the minutes of August 14, 2014.

A motion to approve the minutes of August 14, 2014 as amended was made by Mr. Bressé and seconded by Mr. Rhoads. The motion carried 4-0-1 with Mr. Grieder abstaining as he was not at the meeting.

The Board reviewed the minutes of July 31, 2014.

A motion to approve the minutes of July 31, 2014 as amended was made by Mr. Bressé and seconded by Mr. Greene. The motion carried 5-0-0.

The Board reviewed the minutes of July 24, 2014.

A motion to approve the minutes of July 24, 2014 was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 3-0-2 with Mr. Rhoads and Mr. Bressé abstaining as they were not present at the meeting.

The Board reviewed the minutes of May 22, 2014.

A motion to approve the minutes of May 22, 2014 was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 5-0-0.

The Board reviewed the minutes of April 24, 2014, May 8, 2014, June 12, 2014 and June 26, 2014.

A motion to approve the minutes of April 24, 2014, May 8, 2014, June 12, 2014 and June 26, 2014 was made by Mr. Bressé and seconded by Mr. Greene. The motion carried 5-0-0.

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

Respectfully submitted,

Diana Gray

Approved by: William Grieder

Date: 10/30/14