

**Foxborough Planning Board
Meeting Minutes
October 30, 2014
Boyden Library**

Members Present: Kevin Weinfeld, William Grieder, Gary Whitehouse, Ron Bressé, Gordon Greene and John Rhoads (at 8:15 p.m.)

Also Present: Planner Sharon Wason, Staff Planner Gaby Jordan

7:00 Review of Old/New Business

Planner's Report

Ms. Wason reported that we should be receiving official word that funding is being granted for the Route 1 project. The \$25,000 will be augmented by a \$10,000 Direct Local Technical Assistance grant from MAPC.

The two gentlemen with the solar project on East Belcher will be coming to the November meeting; they did a similar project in Berkley.

The Metropolitan Area Planning Organization will be voting on the Transit Grant on Thursday, November 6th.

The second invoice has been received for the Payson Road project, double the ledge has been discovered but there is a contingency of \$10,000 for ledge removal.

The Tree Grant deadline was not met; Ms. Wason will be applying for it again in the spring.

Active Subdivisions

One of Doug King's subcontractors was proposing changing utility line locations at the Payson Road project; Ms. Wason sent a letter on October 16th reminding them on the importance of constructing projects in accordance with approved plans so that utility lines can be accurately located in the future. Changes cannot be made without coming before the Board. Mr. Greene stated that he thinks the walkway wall makes the pathway too narrow and should be checked.

Mr. Grieder stated that he met with Mr. Mullaney and Mr. King and has also spoken with Mr. Buckley in regards to this; he suggested that a letter be sent out to Project Manager Sam Schofield that the plans need to be followed as the contractors are not engineers. Ms. Jordan will send out a letter.

Chris Gallagher has stated that the trees have been ordered for Carleton Lane and the curb repairs are being done on Capone in preparation of paving which needs to be done before the end of the season. Bay Colony will be preparing the as-built plans and installing the bounds.

Lakeview Pavilion is looking for a waiver of the 1% Site Inspection Fee, this amount is collected to pay the site inspector. The amount for their project is \$2,300. Mr. Grieder does not recommend waiving the fee as it would set precedence. Mr. Weinfeld agreed that this request should not be entertained.

Minutes

The Board reviewed the minutes of October 2, 2014.

A motion to approve the minutes of October 2, 2014 as submitted was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-1 with Mr. Weinfeld abstaining as he was absent.

The Board reviewed the minutes of October 9, 2014. Mr. Rhodes has submitted a few grammatical corrections.

A motion to approve the minutes of October 9, 2014 as amended was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-1 with Mr. Grieder abstaining as he was absent.

The Board reviewed the minutes of September 25, 2014.

A motion to approve the minutes of September 25, 2014 as submitted was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-1 with Mr. Weinfeld abstaining as he was absent.

The Board reviewed the minutes of September 11, 2014.

A motion to approve the minutes of September 11, 2014 as submitted was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-1 with Mr. Weinfeld abstaining as he was absent.

Request for Reduction of Performance Guarantee – Fairway Woods Subdivision

The Board met with developer Larry Stern in regards to the Fairway Woods Subdivision. Ms. Jordan reported that the stone wall which was disturbed for the road construction has been reconstructed and inspected by Mr. Mullaney and all issues listed in the last report have been addressed except the concern about the grass strips. Mr. Stern stated that he will be over-seeding and fertilizing in the spring. Tree and Park Supervisor Dave LaLiberte was consulted and he estimated that \$200 should be enough for the seeding and fertilizing of the grass strips. As-built plans have been prepared and reviewed by Mr. Mullaney and Ms. Wason.

There is \$24,500 in the Guarantee at this time. Ms. Wason recommends retaining \$5,000 as per the Subdivision Regulations plus \$200 for the seeding for a total of \$5,200.

The remainder will be eligible for release next May once the street is accepted at Town Meeting.

A motion to release \$19,300 of the Performance Guarantee for the Fairway Woods Subdivision was made by Mr. Grieder and seconded by Mr. Greene. The motion carried 5-0-0.

Public Hearing – Special Permit Accessory Apartment – Danielle Pettigrew – 2 Austin Lane

A motion to open the Public Hearing was made by Mr. Greene and seconded by Mr. Grieder. The motion carried 4-0-0.

Mrs. Pettigrew was present. This is the second application for Ms. Pettigrew; the first application did not have the plans showing that the accessory apartment would be less than 850 sq. ft. Those plans have now been submitted. The Board of Health has also approved a four bedroom septic system.

One of the bedrooms has been converted to a home office; all of the bedrooms will now be on the same level.

Ms. Wason is concerned with the prominence of the doorway to the apartment, she thinks it should be painted a color to match the house or have shrubbery installed near it to make it less prominent as it should retain the appearance of a single family home when viewed from the street. This does not need to be a condition of approval however.

The home was constructed in 1990 and they are not proposing any exterior changes, the apartment was already existing when they purchased the home; they would like to make it a legal apartment.

Ms. Wason is proposing five standard conditions: the permit is specific to the petitioner, occupancy of the apartment is limited to Ms. Pettigrew's parents, the kitchen shall be removed when the apartment is no longer needed, the permit shall be recorded at the Registry of Deeds, any changes will need to be reviewed by the Planning Board to determine if a Public Hearing is necessary.

There were no abutters present.

A motion to close the Public Hearing was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

A motion to approve the Special Permit for an Accessory Apartment at 2 Austin Lane subject to the five conditions proposed was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

Public Hearing – Accessory Apartment – Evelyn & Dan Cahill - 10 Revere Drive

A motion to open the Public Hearing was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

Mrs. Cahill and her son Dan Cahill were present. Dan Cahill and his family will be moving into his mother's home and constructing an addition as an apartment for Evelyn Cahill.

Ms. Wason reviewed her memo on the application; the addition will be 784 sq. ft. and will be connected to the existing home via a mudroom. The existing home and addition will be repainted once it is complete. The existing driveway can accommodate five vehicles. The Building Commissioner submitted a memo that the addition is within the required setbacks and is not in the Zone II or III of the Aquifer Protection Zone. The Board of Health has submitted a memo noting that the septic system may require future upgrading.

Ms. Wason proposes seven conditions: the permit is specific to the petitioner, the plans be included as part of the approval, occupancy of the apartment is limited to Mrs. Cahill, the kitchen shall be removed when the apartment is no longer needed, the permit shall be recorded at the Registry of Deeds, the cesspool shall be brought up to code when necessary, any changes will need to be reviewed by the Planning Board to determine if a Public Hearing is necessary.

No abutters were present.

A motion to close the Public Hearing was made by Mr. Greene and seconded by Mr. Bresse. The motion carried 4-0-0.

A motion to approve the Special Permit for an Accessory Apartment at 10 Revere Drive subject to the seven conditions proposed was made by Mr. Greene and seconded by Mr. Bresse. The motion carried 4-0-0.

Discussion with Don Treannie concerning completion of Rothchild Drive – Sumner Estates Subdivision.

The Board met with Don Treannie in regards to the conditions at Rothchild Drive, residents Chelsea & Matthew McCue of 3 Rothchild Drive and Kathryn Conahan of 1 Rothchild Drive were also present.

Mr. Treannie, Mr. Grieder and Mr. Mullaney were on the site today to review items that need to be completed based on the Construction Report submitted by Mr. Mullaney in August.

Mr. Treannie submitted a copy of the Construction Report with dates that the items will be completed; some are dependent on the weather. Other items, such as the paving, are dependent on Mr. Mullaney and the paving company's schedule.

The items to be completed by November 21st include: installing the end on the guardrail, cleaning of the road and removing the construction materials and debris.

Mr. Treannie stated that he was informed that the proposed location of the trees is in the National Grid easement for the underground utilities so he needs to relocate 16 trees; there is not enough room on the grass strips. He will mark proposed locations and have Mr. LaLiberte inspect them; if there are extra trees, the value could be donated to the Tree Fund.

Items to be completed by December 15th include: replacing the manhole covers, resetting the sloped granite curbing and catch basin inlets, installing the handicapped sidewalk (weather permitting) and grouting of the pipes after paving and mowing the detention basins.

The remaining items will be completed by May 30, 2015. Mr. Treannie is looking to get this as an accepted road.

Ms. Conahan of 1 Rothchild Drive asked if they could meet with the Board again in February or March to evaluate what has been done and what is left to do to make sure things are being scheduled for completion. She also has a shed that is too close to the road and needs to be moved. A bound is supposed to be installed where the shed is and it will have to be moved. This item was added to the list. Her driveway to Summer Street is also still there; this was supposed to be removed once the Rothchild driveway was installed. She would also like the finished paving to include her driveway.

Kraft Organization Update

Mr. Grieder informed the Board that he recently met with Dan Krantz and Atty. Peter Tamm of the Kraft Organization. The Parking lots decision was not appealed and the Washington Street lot will be going out to bid soon. They also stated that they will be filing for a Modification of the Special Permit for the new hotel; they would like to relocate it elsewhere on the property. They will also be redoing some of the parking lot and internal roads. The pavilion has a new sponsor and plans to build it are in progress. They are also looking to replace the removable seats at the stadium with stadium club seats. Another item that

will require a zoning change is for a proposed office park across the street; zoning changes would be needed for Building Height and Setback Modifications.

Mr. Grieder thinks a separate meeting should be scheduled to discuss only Route 1. A meeting was tentatively scheduled for November 19th depending on the availability of meeting space.

Discussion of Master Plan RFP Proposals

Mr. Rhoads arrived at 8:15 p.m.

Ms. Wason had asked the Board members to rank the proposals from the last meeting. From the results four ranked McCabe first, two ranked McCabe second and one wanted a mix from two different presenters.

Mr. Grieder would like to have payments tied to milestones with the weighted portion at the conclusion. The Board would also need to approve all payments.

The Board members did like the focus group approach of Jenn Goldstein from the Community Opportunities presentation. The Board expressed their displeasure with Paul Lukez from the McCabe team.

The Board would like to have all written materials at least 48 hours in advance of the meetings. The schedule will be critical this time.

Kathy McCabe of McCabe Enterprises stated that this portion of the Master Plan would be more implementation with less written materials. She pledged to get all materials out 48 hours in advance and stated that Mr. Lukez would not have a primary role this time.

A motion to award the contract for the Third Phase of the Master Plan to McCabe Enterprises was made by Mr. Greene and seconded by Mr. Weinfeld. The motion carried 6-0-0.

Ms. Wason stated that there is \$56,500 available to complete the plan. She will work with Ms. McCabe on setting a schedule and milestones as well as prioritizing the work for the November 13th meeting.

The Town Manager will need to sign the contract.

Ms. McCabe will get in touch with Ms. Goldstein as she is a colleague.

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Diana Gray

Approved by: Kevin Weinfeld

Date: 1/8/15