

**Foxborough Planning Board
Meeting Minutes
February 12, 2015
Boyden Library**

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

Members Absent: Gary Whitehouse

Also Present: Planner Sharon Wason, Staff Planner Gaby Jordan

Planner Report

Ms. Wason has been working on the Street Acceptance Procedure, using West Boylston as a guideline. Work still needs to be done before this can be incorporated into the regulations.

Atty. Tamm has been working on the Gillette Minor Modification process which would require an administrative review similar to a Site Plan Review. A Public hearing will need to be held and will be scheduled for March 12th

The Master Plan meeting to prepare for the next forum will be held on February 19th at 9:00 a.m. at PARE Engineering's office.

The Annual Report has been prepared; the Board reviewed the report and suggested that thanks be added for Town Engineer Chris Gallagher along with the others that are listed.

The four Articles for Town Meeting will be submitted as the deadline is tomorrow.

A motion that the Planning Board finds that the Articles to have McNamara Way and Michelmore Way accepted as public ways should be included on the Town Meeting warrant was made by Mr. Weinfeld and seconded by Mr. Grieder. The motion carried 5-0-0.

Ms. Wason would like to apply for the DCR Urban and Community Forestry Challenge Grant for funds to replace street trees. The Board is agreeable with this request.

Ms. Gray will assist the Agricultural Committee if they need help.

Ms. Wason plans to attend the Northeast APA conference in New York State at the end of June.

The Annual Citizen's Planner Training Collaborative Conference will be held in March, a listing of classes should be out soon.

Ms. Wason has been working with Selectman Coppola on Liquor License areas and getting them defined.

The MAPC is almost done with the Downtown Growth Node map but one parcel was left out that should be included, it is the Schneider Electric site; this could be done as a clerical correction.

A motion to have the Town Planner send a letter to the MAPC requesting a correction to Priority Development Area 99-02 was made by Mr. Grieder and seconded by Mr. Bressé. The motion carried 5-0-0.

Kathy McCabe submitted her invoice late today and it has not yet been reviewed by Ms. Wason. It will be put on the next agenda.

Town Meeting Street Acceptance Requests

Street Acceptance Requests have been received for McNamara Way and Michelmore Way. There is also talk of having Garrett Spillane accepted too. McNamara and Michelmore have been built to subdivision standards but Garrett Spillane was not. The Board discussed what if anything could be done to improve Garrett Spillane so it could meet acceptable standards. The residents have been told in the past that the street could not be accepted.

Mr. Grieder explained that he met with Atty. Spillane and Engineer Bill Buckley to discuss Garrett Spillane Road; he explained that standards need to be met but Mr. Martyniak needs to continue to pay for the street lights while this is being worked on. It was noted that the town fixed some of the basins at one time. Ms. Wason and Town Engineer Chris Gallagher have spoken about the street acceptances and she told him that she would like the roads to meet all town requirements. Mr. Gallagher was present and he stated that Foxborough is plowing a number of roads that are not accepted Town Roads. Some were designed as private roads; it could be a liability issue having town equipment on the private roads. He stated that there will be a change in policy implemented this year to address this issue.

The Board will recommend no action on Garrett Spillane if a Warrant Article is presented.

A motion that the Board is not in favor of having Garrett Spillane Road being accepted as a Public Way due to the lack of proper construction and it is substandard when compared to the subdivision control law requirements was made by Mr. Rhoads and seconded by Mr. Greene. The motion carried 5-0-0.

Scenic Road – Granite Street – Tree Removal in the Public Way

Town Engineer Chris Gallager represented the DPW for this application. National Grid would like to remove old or damaged trees on Granite Street, five of which are in the public way. Three of those trees are dead, one is split and one is rotting; there are also nine trees on private property that they would like removed but will need to get the owner's consent.

Ms. Wason stated that she and Tree & Park Supervisor Dave LaLiberte went to view the trees and agree that they need to come down. The work will be done at no cost to the town and will benefit the town and residents in the area.

The town has received \$5,000 from National Grid's Tree Replacement Grant Program.

A motion to close the Public Hearing was made by Mr. Rhoads and seconded by Mr. Greene. The motion carried 5-0-0.

A motion to approve the requested Tree Removal for Granite Street was made by Mr. Grieder and seconded by Mr. Rhoads. The motion carried 5-0-0.

Site Plan Review – 40 East Belcher Solar Array Installation

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

John Motta and John Conwell represented the applicant. They would like to install a 1.56 megawatt solar system with 786 solar panels on five and a half acres of the former landfill which has twenty five acres in total.

The panels will be installed on steel racks supported on concrete; they do not expect to have much site disturbance besides the equipment pad. The power lines will go back out to East Belcher Road.

A Post Closure Use Permit is needed from the state to use a closed landfill; they are working on that application.

The area is presently fenced but some breaks in the fencing will need to be addressed. The compost site is also located in the area and uses the same access road, security measures will be needed.

BSC has submitted a comment letter which was read into the record. They require such items as an electrical diagram, an O & M Plan, proof of Liability Insurance and utility notification.

The Fire Department has requested training and a second means of egress for emergency response as well as an emergency shut off switch.

The Building Commissioner also requests on-site training for the Inspections Department.

Mr. Grieder asked about a surety to cover the de-commissioning if it ever needs to be removed. DEP requires a de-commissioning plan also.

The site is located in the Limited Industrial (LI) zoning district but is near the R-40 residential zoning district, all of the panels and equipment would be located on the LI portion of the site.

Mr. Motta is agreeable to having Fire Department and Inspections Department training as a condition of approval. They would need clarification from the Fire Department in regards to the second means of access. They would be agreeable to Knox boxes and emergency shut offs as conditions of approvals also.

The electrical diagram can be provided; the O& M plan could also be a condition of approval to be submitted prior to construction. In regards to the bonding, a decision is needed on the amount required.

The utility agreement is also not finalized.

Ms. Wason would also like to have educational signage as well as signage with emergency contact information.

This is a great use for the site as it is a non-polluting use. It is expected to take two to three months to construct.

A motion to continue the Public Hearing for 40 East Belcher Solar Array Installation to February 26, 2015 at 8:00 p.m. was made by Mr. Bressé and seconded by Mr. Rhoads. The motion carried 5-0-0.

95 Main Street Informal Discussion

The Board met with Engineer Bill Buckley of Bay Colony Group and Mike Ferrone of Briarwood Construction as a follow up to an informal discussion that was held last fall. Mr. Rhoads informed the

Board that he would sit in on the discussion since no votes will be taken as he has relatives who own abutting property.

Mr. Buckley reviewed that this is a sixteen acre parcel which is currently vacant except for a building and a garage. It was permitted in the 1980's for business bays and some work was started and drainage constructed but it was not completed. They have received their wetlands delineation from Conservation and have updated the plans with more details. The entrance roadway has been changed to a standard roadway with one sidewalk. The roadway will be 1,280 feet in total and will end in a cul-de-sac for more of a buffer to the Main Street residents. The water line will be looped back to Main Street. Soil testing is still needed for the septic systems, it has been done in the past but they would like to redo it due to the high water table in the area. Some fill will also be needed to pitch the road towards the wet basin at the rear of the property.

They will be proposing a public way with a waiver request for only one sidewalk as well as a Common Driveway Special Permit and a Road Length Special Permit. They will not submit a Preliminary Plan and plan to file a Definitive Subdivision Plan in March when they will also be applying to Conservation. They hope to begin construction in the fall. The houses will be 2,500 sq. ft. two-story homes 60' wide.

Richard DeCoste of Shea Lane asked if the lots will be raised and if the septic systems will be located at the top of the lots. Mr. Buckley responded that this will depend on the soil testing. Mr. DeCoste also asked about the potential vernal pool. Mr. Buckley responded that this will not change any of the setbacks.

Master Plan Discussion with Conservation Commission Members

The Board met with Bob Boette and Judi Johnson of the Conservation Commission as well as Jane Pierce the Conservation Agent in regards to a letter the Commission sent in addressing the Master Plan Natural and Cultural Resources section.

They contend that the town has not yet reached its goal of having 25% Open Space protected land. The Master Plan lists 25% but not all of it is protected and is still vulnerable to development. Some of the open space is privately owned and may be sold in the future.

If the town had a Community Preservation Act, this could provide funding for future purchases.

Ms. Wason stated that the right land needs to be protected, land that is connected to larger parcels, not just small parcels here and there.

A discussion on perceived open space as opposed to protected open space took place. The Board and Commission also discussed land stewardship and accessing Conservation land and the Commission's Open Space and Recreation Plan.

The Board suggested that the Commission submit recommendations on changes and submit it to the Board, a certain percentage is not a requirement but if they have a number in mind the Board will gladly accept suggestions.

The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Diana Gray

Approved by: Kevin Weinfeld

Date: 5/7/15