

**Foxborough Planning Board
Meeting Minutes
February 26, 2015
Boyden Library**

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

Members Absent: Kevin Weinfeld

Also Present: Planner Sharon Wason, Staff Planner Gaby Jordan

Planner Report

Ms. Wason has been working on the changes for the Subdivision Regulations. The required diameter of a cul-de-sac needs to be changed to accommodate future larger public safety equipment; including Mr. Arendt's Four Step Analysis and a reworked Open Space Plan section. Mr. Rhoads would also like regulations addressing the quantities of stockpiled materials and regulations for front yard landscaping. Mr. Rhoads will work with her for the hearing that will be held on April 9th.

Ms. Wason has prepared a draft Community Forestry Plan in order to get tree money from the state. The town's 250th anniversary will be in 2028, trees should be planted soon so they will be well established by then.

In regards to the Economic Development Committee, the committee currently has only a few members including Ms. Wason and Mike Stanton. The Master Plan recommends having an economic development strategy. A memo can be sent to the Town Manager requesting that members be appointed to the Economic Development Committee.

There is a designation of a BioReady Community that the town can receive which are local policies for biotech laboratory and manufacturing facilities. Ms. Wason will be looking into the Bronze level which would require a Special Permit for biotech projects.

The playground equipment for the Payson Fields playground needs to be picked out as the size of the bases needed needs to be determined. Ms. Wason recommends a ramped structure that would be handicapped accessible. The fencing also needs to be addressed, should the trees be inside or outside of the fencing and should there be a gate and walkway to the nearby townhouses. Ms. Wason would also like to have benches.

The Ella Hill Playground in East Foxboro could be part of the PARC grant this year. The Foxboro Commission on Disability has collected \$800 in fines for people parking in handicapped spaces and would be willing to donate \$500 of it to the restoration of the playground. A Community Garden could also be located there.

In regards to the East Belcher Solar Project, Kyle Wilbur will be submitting a rezoning request for the Special Town Meeting which may take place in the fall. They are planning to go through the Site Plan process before the rezoning process.

Ms. Wason will be meeting with AdCom on March 4th at 8:15 p.m.

There is a possible violation issue by Dooley Trucking, it was noticed that they were dumping snow at 25 Norton Street, which has an excavation business on site. There is a river nearby so it may fall under the Rivers Act which requires a permit when snow is dumped within 200 feet of a river. The Zoning Enforcement Officer will be notified.

A memo was received from some of the owners at the Village Townhouses, they are frustrated that Doug King is not completing work at the townhouses but he still controls the homeowners association so the Board may not be able to offer much help unless the issues are related to the Subdivision Control Regulations. Ms. Jordan is working on the streetlight issues.

Glen Shepardson who owns the property on Rte. 106 across near Witch Pond talked to Mr. Grieder about his property, he would like to subdivide it but is short by 60 feet of frontage.

Town Meeting Warrant Article – Amend Section 8.3 Open Space Residential Development and replace with a new section Open Space Residential Development

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

Ms. Wason explained that left over funds from the Foxborough Lodge were used for a Randall Arendt Seminar on Open Space Residential Developments in which he recommended that this section of the bylaws be re-written to incentivize better design. The 7.5 acre minimum requirement will be removed and requirements for a landscape architect and a checklist for approval criteria will be added.

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

Town Meeting Warrant Article – Amend Section 9.3.1 Floodplain Overlay District and replace with a new section Floodplain Overlay District

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

There are two new panels that need to be added to the Flood Plain maps, the language was vetted by the State.

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

Town Meeting Warrant Article – Accept McNamara Way as a Public Way

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

A checklist of requirements was submitted by Town Engineer Chris Gallagher. The Board should recommend the acceptance of the road, but if the checklist items are not completed by Town Meeting, the article be pulled from Town Meeting.

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

Town Meeting Warrant Article – Accept Michelmore Way as a Public Way

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

A checklist of requirements was submitted by Town Engineer Chris Gallagher. The Board should recommend the acceptance of the road, but if the checklist items are not completed by Town Meeting, the article should be pulled from Town Meeting.

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

A motion to send a positive recommendation to Town Meeting in support of the Open Space Residential Development Article was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

A motion to send a positive recommendation to Town Meeting in support of the Floodplain Overlay District Article was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

A motion to send a positive recommendation to Town Meeting in support of accepting McNamara Way as a public way unless the items required by Town Engineer Chris Gallagher are not completed was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

A motion to send a positive recommendation to Town Meeting in support of accepting Michelmore Way as a public way unless the items required by Town Engineer Chris Gallagher are not completed was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

Continued Public Hearing – Site Plan Review – 40 East Belcher Solar Array Installation

Ms. Wason has prepared a draft decision. Condition #21 requires surety to cover the cost of removal of the facility and remediation and restoration of the site in the event the Town must remove the installation. This surety needs to be in place prior to the issuance of the occupancy permit. Ms. Wason stated that there was a meeting recently to discuss the bond, Ms. Wason did not attend. Ms. Wason would like to know what the contract and RFP says before this decision is approved.

The applicants are also questioning the fees since this is a town project. Mr. Grieder stated that the town is not the applicant, the town is just the landowners; similar to the stadium land.

The same applicants have also submitted a new application for a Solar Array on Elm Street, which has the same bonding issue.

A motion that the new application for a Solar Array on Elm Street will not be considered complete until the bonding information is provided was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

The bond should be for 125% of the cost of removing the installation.

Engineer John Conwell joined the meeting by telephone. Mr. Grieder informed Mr. Conwell that the bond information is needed before the Board can proceed since this is not a partnership application with

the town. Mr. Conwell stated that there is a lease agreement between the town and Sun Edison. He is agreeable to the \$10,000 performance guarantee for completion of the landscaping, drainage system, pavement installation and as-built plan.

A motion to take no action on the decision until notification is received from the Town Manager in regards to the Removal Bond with details for the town's protection included and to continue the Public Hearing to March 12th at 7:45 p.m. was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

Ms. Wason will email the applicants this information tomorrow.

Cumberland Farms Bond

The Cumberland Farms applicants would like their performance guarantee returned as they feel that the project was completed in compliance with the approved Site Plan. There have been no complaints received due to the change in the traffic flow.

A motion to return the Cumberland Farms bond in the amount of \$2,500.00 was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 5-0-0.

Master Plan Invoice

The recent bill from Kathy McCabe has been reviewed by Ms. Wason and she recommends approval.

A motion to pay the invoice for McCabe Enterprises in the amount of \$8,400.00 was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 5-0-0.

An email was received today stating that drafts of the issue papers for the March 26th workshop should be received prior to the March 12th meeting.

Housing Trust

Mr. Grieder and Ms. Wason met with the Town Manager about the Housing Trust. They feel that the Town Manager should be responsible for appointing members instead of the Board of Selectmen. There is a sunset clause on the Housing Trust so decisions need to start being made. The item is on the Board of Selectmen agenda to accept this change to the regulations.

There is a need for accessible senior housing in town.

The town has been approved for the \$100,000 Casino Mitigation funding; this should be put towards traffic improvements. It will need to be determined if the peak traffic times at Patriots' games end up being peak traffic times at the new casino in Plainville.

Minutes

The Board reviewed the minutes of December 11, 2014, January 8, 2015 and January 22, 2015.

A motion to approve the minutes of December 11, 2014 as amended was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

A motion to approve the minutes of January 8, 2015 as amended was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

A motion to approve the minutes of January 22, 2015 was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 5-0-0.

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Diana Gray

Approved by: Kevin Weinfeld

Date: 5/7/15