

**Foxborough Planning Board  
Meeting Minutes  
July 9, 2015  
Boyden Library**

**Members Present:** William Grieder, Ron Bressé, Gordon Greene and John Rhoads

**Members Absent:** Kevin Weinfeld, Alternate Gary Whitehouse

**Also Present:** Staff Planner Gaby Jordan

**Minutes**

The Board reviewed the minutes of May 7, 2015 and May 28, 2015.

A motion to approve the minutes of May 7, 2015 as amended was made by Mr. Grieder and seconded by Mr. Rhoads. The motion carried 4-0-0.

A motion to approve the minutes of May 28, 2015 as amended was made by Mr. Grieder and seconded by Mr. Rhoads. The motion carried 4-0-0.

**Public Hearing – Change of Use – 14 Church Street**

Eve Keddy came before the Board and represented herself. She would like to purchase the former Knights of Columbus Hall and convert it to a Dance School. She has been running the Classical Ballet Academy on the second floor of the Judy's Flowers building for a few years. She started with four students and it has now increased to 50 students. They have outgrown their current location and are looking to move.

Ms. Keddy explained that they will be bringing the building up to code and will be splitting the main floor into two studios. She has no plans to change the footprint of the building or the current outdoor lighting. She has already been before the Zoning Board of Appeals and received a permit for a Non-Exempt Educational Use.

Building Commissioner William Casbarra commented that the parking was not addressed during the ZBA process. Forty parking spaces with two accessible spaces are required, with one of the accessible spaces being van accessible.

Pauline Clifford of the Board of Health stated that a new Title V report or new septic system design will be needed with the new use. The property may be on town sewer already, Ms. Keddy will follow up with Ms. Clifford on this issue.

There were no public comments.

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

Ms. Jordan has prepared a draft decision, which the Board reviewed.

A motion to approve the Site Plan Approval for 14 Church Street with an amendment to the Title V requirement was made by Mr. Grieder and seconded by Mr. Bresse. The motion carried 4-0-0.

### **Continued Public Hearing – London Estates - 95 Main Street**

The applicant has requested a continuance to the August 13<sup>th</sup> meeting to work out Conservation issues.

A motion to continue the Public Hearing for London Estates to August 13, 2015 at 7:15 p.m. at the request of the applicant was made by Mr. Grieder and seconded by Mr. Bresse. The motion carried 3-0-1 with Mr. Rhoads abstaining.

### **Planner Report**

Ms. Jordan has prepared a report on the work being done in the Planning office. There are seven ongoing projects, two expected applications including the Foxfield Plaza redevelopment and one for a previously denied Accessory Apartment that will now conform under the new bylaw and other projects including the Billboard Survey for the Billboard Advisory Committee, grants and completion of the forfeited subdivisions of Sumner Estates and Autumn Valley Estates. Mary Beth Bernard is planning on having a meeting with the interns next week for an update on their progress.

Mr. Grieder has concerns with the walking path on Dexter Road that Doug King is installing. He feels that the stone wall is being installed on town land. Mr. Greene is also concerned that Mr. King is taking town land for his own use at the detriment to the town's seniors. Mr. Rhoads would like to see the approved plan and compare it to what is being done and if it is found to be in non-compliance require it be made to comply.

Ms. Wason had asked for the wall to delineate the town property. The Board would like Mr. King notified through Mr. Buckley to stop work on the path and to come to a future meeting to discuss this.

Town Manager Bill Keegan stated that a Cease and Desist Letter should be sent stating that no further work be performed until the Board reviews the work that can be done on town property based on a review of what was already done.

A motion to send a Cease and Desist Letter to Doug King in regards to the walking path on Dexter Road was made by Mr. Grieder and seconded by Mr. Greene. The motion carried 4-0-0.

### **New Town Planner Search**

The Board met with Town Manager Bill Keegan and Assistant Town Manager Mary Beth Bernard in regards to finding a new Town Planner.

Ms. Bernard has offered to work with the Board in evaluating what was done under Ms. Wason's direction and to evaluate the present position. The Board has been working on the Master Plan and they feel that the Planner position should evolve into a Community Development Director position over the next year or so. A job title, job description and timeline of the hiring process are needed to proceed. Ms. Bernard offers her services to the Board to help find a candidate.

A job title such as Senior Planner, Director of Planning, Land Use and Economic Development Director, Director of Community and Economic Development, etc. A loose timeline could be July 23<sup>rd</sup> meeting – discuss the job posting and job description, develop a candidate profile, identify a screening committee and decide on an interview process.

Mr. Keegan would like to see a Community Development or Economic Development Department eventually which would oversee the work of the Planning, Conservation, Building and Zoning departments.

The Board is not sure if a Charter Change would need to be requested for an organizational change or if it could be done through Town Meeting. Presently there is a Staff Planner, Conservation Agent and Building Commissioner that would need administrative oversight. The Board is looking to fill the position of Town Planner but is willing to discuss prospects of an expanded position. The Board would also like to know where the funding would come from for an expanded position.

Mr. Keegan is interested in attracting candidates who could do the expanded job in the future as well as be a Town Planner. He noted that other communities are filling similar positions with a coordinated development department.

The Board noted that the creation of the DPW from the Highway and Water Departments did not result in the reduction of staffing or promised savings.

Mr. Rhoads would like to see an organizational chart with goals and objectives to further understand this concept.

Mr. Greene noted that the Planner would be directed to work on the critical projects for the Planning Board but would be okay with working with other departments when the need arises.

Mr. Bresse would like to move forward with the Town Planner position now but doesn't object to a Community Development position expansion in the future.

Mr. Keegan stated that Ms. Wason had informed him that she knew her position would be moving in that direction.

The proposed timeline would be to post the job by August 1<sup>st</sup> for thirty days, ten days to review the resumes, start interview process in September with phone interviews, have an interview committee meeting with the remaining candidates, finalize and hire by mid-October to start in November. Some of the items could be fast tracked to get a candidate earlier. The job can be posted on the Mass Municipal website, AICP, Planner list serve, APA, MAPD.

Ms. Bernard will forward the current job description to the Board for review.

The Board asked the Town Manager about other issues in town, the horseshoe club has been at Payson for the summer, they are still in discussion with them about a permanent place. The compost site fence still needs to be fixed, Mr. Casbarra is giving them a short window to fix the fence and have the gate installed.

### **Informal presentation concerning Foxfield Plaza**

The Board met with Atty. Frank Spillane, Engineer Eric Prive, Developers Jeff Saletin, and Chris Crecelius and hotel representative Marc Landry. They will be going before the Zoning Board next Thursday for Special Permits and a Variance to redevelop the Foxfield Plaza by demolishing the Foxboro Furniture building and about a third of the L shaped retail buildings and adding a 139 room hotel, two restaurants and one office space, and rehabbing the remainder of the retail space. There will be no development on the Mansfield portion of the land. The entire lot is approximately 11.39 acres.

They will be going before the ZBA to ask for Special Permits to change the curb cut entrances on Central Street from five to two, and to add buffer strips between Central Street and the parking lot, the L shaped building will be an alteration of a pre-existing non-conforming structure; the height of the hotel which is proposed to be a four story forty two feet high building where three stories and forty feet is allowed. A Variance is also needed as the proposed hotel will be in the setback of the abutting residential zoning.

Atty. Spillane noted that there will be less impervious surface on the site but 1.8 acres will be in the Water Resource Protection District. They will be detaining all the runoff on the site which is a MassDOT requirement.

The traffic study is not complete yet and there has been no determination from MassDOT on signalization in the area.

The Board inquired if the existing tenants would be staying. Mr. Saletin noted that they have not yet started a dialogue with the existing tenants but will be in the near future. The retail building will be rehabbed into a NE style building with new roof lines and infrastructure. The lighting will be changed to LED to help shield it from the nearby residential areas.

They held a neighborhood meeting recently which they feel went positively. And they have been in discussions with Water and Sewer about tying into the system.

Mr. Prive explained the vision of the site coming in from Route 140. Right now from Route 140 you are facing the back of the buildings as the development faces Central Street. There is also a lot of cut through traffic which they propose to deal with by creating a twenty four foot wide curved tree lined boulevard with sidewalks and a calming table nearest the hotel. This boulevard will be the primary access for the site with all the buildings orientated to face this boulevard. They will also be installing fencing and landscaping nearest the Vernal Ave. abutters.

This was identified in the Master Plan as one of the growth node areas.

Mr. Saletin noted that this is a well located but difficult development right now with a bad view corridor. They would like to take this blighted development and turn it into a productive development.

Mr. Keegan noted that he knows Mr. Saletin from his work in Seekonk. He is confident that he will do a good job on the project. He also noted that a hotel is needed in the area with the redevelopment of the Meditech property.

Mr. Rhoads asked about the acoustics coming off of the property especially for the Vernal Ave residents. He suggests using sound enclosures and other measures. Mr. Saletin noted that the retail leases would require no dumpster pickups before 7:30 a.m. or after 9:30 p.m., there would be no overnight parking of delivery trucks allowed and the lighting would be improved to keep the lighting on the property with no spill to the surrounding area.

Mr. Prive does not think a MEPA review will be required as the traffic and parking thresholds will not be reached or exceeded.

Mr. Prive also reviewed the storm water requirements; currently there is a catch basin system to Central Street, which is no longer allowed. They will be using infiltration basins near Central Street to treat the water which will be sent through a perforated pipe underground to the brook on the other side. They will also be installing bioretention areas.

Mr. Grieder would like to remind them about the fire lanes in the rear of the building, make sure they are striped properly to prevent illegal parking.

Mr. Weinfeld asked if there is capacity for sewer. Atty. Spillane stated that they have met with the Board of Water and Sewer Commissioners and some capacity will need to be purchased.

Mr. Keegan commented that this could be a kickoff for a way finding grant for gateway signage in the town.

Mr. Saletin stated that they would like to break ground before winter and hope to have the hotel completed by April 2017.

A motion to support the Foxfield Plaza redevelopment concept was made by Mr. Bresse and seconded by Mr. Rhoads. The motion carried 4-0-0.

A letter will be sent to the ZBA in support of this project.

### **Continued Public Hearing – Subdivision Regulations Modifications**

This hearing was originally scheduled by Ms. Wason to discuss the addition of Open Space regulations into the Subdivision Regulations as the only Open Space Regulations right now are in the Zoning Bylaws. The Board would like to continue this to when there is a new Planner available.

A motion to continue the Public Hearing for the Subdivision Regulations to November 12, 2015 at 7:15 p.m. was made by Mr. Rhoads and seconded by Mr. Bresse. The motion carried 4-0-0.

### **Request for Minor Modification of Elm Street Solar Plan**

National Grid has requested that the inverter on the project be moved to the center of the site and some minor changes to the gravel driveway. Abutter Joan Galivan was not able to attend this evening but Ms. Jordan explained the changes to her and she is satisfied with the explanation. Mr. Casbarra has no issues with the request.

A motion that the request to move the inverter equipment be deemed a Minor Modification was made by Mr. Rhoads and seconded by Mr. Weinfeld. The motion carried 4-0-0.

A motion to approve the Minor Modification to the Elm Street Solar Array as submitted was made by Mr. Grieder and seconded by Mr. Rhoads. The motion carried 4-0-0.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Diana Gray

Approved by: Kevin Weinfeld

Date: 9/24/15