

**Foxborough Planning Board
Meeting Minutes
July 23, 2015
Boyden Library**

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

Members Absent: Kevin Weinfeld

Also Present: Staff Planner Gaby Jordan

Planner Report

Atty. Frank Spillane has informed the office that he will be filing the plan for Foxfield Plaza tomorrow. The first hearing will be scheduled for August 13th but it will be a preliminary presentation as BSC won't be able to have their review done by that date.

Mr. Treannie will be scheduling his paving work for the first week of August and will be ordering a new guard rail for Rotchild Drive. The Board would like an update at the August 13th meeting. If there is still no action then a Bond Taking Hearing will be scheduled for September.

The Payson project is almost complete; the last step is the ordering of the playground equipment. In regards to the lot, Pacella's contract has been extended to complete this work; it will be paid under the DPW budget. Mr. Greene thinks it needs more smoothing out.

There were concerns by the 95 Main Street applicants with the paving of Main Street. There was no advance notification from the Highway Department that the paving would take place.

Town Planner Job Description and Posting discussion with Asst. Town Manager Mary Beth Bernard

Mary Beth Bernard has offered her assistance in posting and interviewing for a new Town Planner. She has prepared a job posting description to review with the Board. The Job Title she proposes is Director of Planning and Community Development. The Planner part would be under the Planning Board and the Community Development would be under the Town Manager. The Board would rather just advertise for a Director of Planning at this time and hopes it could grow into a Community Development position in the future.

Ms. Bernard reviewed the proposed timeline; a revised job description is needed as well as a screening committee. She would like to post the job tomorrow.

Mr. Grieder would like the screening committee and the interview committee to not be a quorum of the Board and should include any other interested parties such as a member of the Zoning Board, the Building Commissioner and Town Engineer.

Mr. Bressé feels that the major input should be from the Planning Board since the majority of the job duties are Planning Board activities.

The Planner works for the Board but also deals with the Zoning Board on 40B projects, and hopefully community development in the future.

After discussion it was decided that up to three members of the Board, the Building Commissioner and Ms. Bernard would be on the screening committee.

Mr. Rhoads and Mr. Greene will work on the job description.

Request for Site Plan Waiver – Washington Street FXP LLC

Atty. Alan Caggiano and Engineer Woody Beals were present. Atty. Caggiano explained that they recently received approval for a Frontage Waiver for an unmanned electrical substation located off of Route 1 near the water reuse tank. Atty. Caggiano reviewed the requirements of 10.5.4 of the Bylaws, there will be no visual impact on Route 1 due to this station and the integrity and character of the surrounding area will be maintained so there will be no adverse impacts to the area. The Building Commissioner has also issued a memo in support of the waiver.

A Finding is needed from the Board.

A motion that the Planning Board makes a Finding that they agree with the information provided by the applicant and the Building Commissioner that this project qualifies for the Site Plan Waiver was made by Mr. Rhoads and seconded by Mr. Greene. The motion carried 5-0-0.

Public Hearing – Special Permit – 14 Maple Avenue – Louis Soldani

Mr. Soldani was present. He recently went before the Zoning Board of Appeals for a Special Permit to construct a garage larger than allowed by the bylaws. His request was denied, he is now coming before the Planning Board for a finding that enough specific and material changes have been made to the size of the garage that was denied so he can go back before the Zoning Board for a repetitive petition before the two year tolling period is up.

Mr. Soldani explained that the existing structure is 26' x 26'; he originally proposed to construct a 40' x 30' garage with apartment above to replace it with the square footage being 355 sq. ft. He is now proposing it be 219 sq. ft., 40% less than the original request.

Abutter Steve Anberg of 12 Maple Avenue is concerned with the additional height to the new building as it will affect his property; he feels it will be substantially more detrimental than the existing structure.

Mr. Grieder explained that the Board is only determining if the change to the plan is substantial enough to go back to the Zoning Board before the two years are up. Mr. Grieder advised Mr. Soldani to try to address the neighbor concerns and to adhere to the conditions that the Zoning Board listed in their denial if he decides to go back to the ZBA.

A motion that the Planning Board finds that there is specific and material changes made to his application so that he may go back before the Zoning Board of Appeals before the two year tolling period has elapsed was made by Mr. Rhoads and seconded by Mr. Bressé. The motion carried 5-0-0.

Public Hearing – Site Plan Review Solar Energy Facilities 70 Mechanic Street

Chris Ianuzzi of TTI Environmental represented the applicant, Solar City. He explained that Solar City is one of the largest solar installation companies in the country and they are proposing to install a 2.4 megawatt system of arrays, ground mounted solar, carport style and roof mounted solar systems at the Schneider Electric site at 70 Mechanic Street to offset the utility use of the building. The installation will be on already existing parking lots that are currently not being utilized. They have filed with the Conservation Commission and will be having a hearing on Monday July 27th.

Mr. Ianuzzi noted that since the plans were submitted, twelve trees have been identified that will need to be removed to help the solar panels get enough sunlight and the client is amenable to installing lower screening for any abutters that may be affected. Mr. Ianuzzi will submit an updated plan showing the trees to be cut. The Board would also like an aerial view showing the panels in relation to the abutters in the area as there have been concerns raised by the abutters.

The carport style arrays are approximately ten feet off of the ground with flat roofs.

The arrangement will be a twenty year lease with Schneider after which they may purchase the panels or have them removed.

Comments have been received from the Building Commissioner, Fire Department and Conservation Commission. The Building Commissioner and Fire Department have requested training in the event of an emergency event which the applicant has agreed too. Mr. Ianuzzi also offered an educational component for the school children in town.

Mr. Rhoads asked about the number of each type of array. There will be eight pod systems, one ground mounted array and seven parking canopies.

Mr. Rhoads also commented that a decommissioning plan is needed as well as a bond for decommissioning if it ever becomes necessary.

Mr. Ianuzzi expects no changes to the existing runoff as the underlying parking lots will remain. The utility lines in the area are underground and will be located with ground penetrating radar. There is no on-site septic in the area.

The Board would like to see a snow removal plan. The Board also expressed a concern about the location of town utilities on the site relative to the construction of footings and supports.

Jane Curtis of 94 Mechanic Street is concerned about the trees between their condos, their common areas and parking lots; there are also some wetlands in that area. Mr. Ianuzzi stated that they are not proposing to remove any trees on that side of the property nearest to them. Ms. Curtis is also concerned with noise. Mr. Ianuzzi stated there may be some buzzing from the transformers or inverters but they are being installed on the building and screening will be provided.

Judy Romaine of 94 Mechanic Street asked about the flags placed near her property. Mr. Ianuzzi explained that those are wetlands flags used to identify the wetlands; they need to maintain a buffer from those wetlands and no work can be done within the wetlands.

Kelly O'Shea of 49 Mechanic Street asked about glint or glare from the panels. Mr. Ianuzzi explained they have a non-glare coating and they will provide a glare analysis before the next meeting.

Tom King of 94 Mechanic Street asked if there was even enough sun in the area for the panels. Mr. Ianuzzi explained that the site is designed by solar engineers who determine the suitability of the area.

Sue McKinnon of Bradford Ave noted that the transfer station in the area already buzzes.

The Board preferred to continue this hearing until after any Conservation issues are resolved.

A motion to continue the Public Hearing to August 13, 2015 at 7:45 p.m. was made by Mr. Greene and seconded by Mr. Rhoads. The motion carried 4-0-0.

Lot Release Request – Governor’s Meadow Subdivision

Ms. Jordan informed the Board that there will be four lots left to release if this lot release is approved. Mr. Mordini wants to bring Westin Ave to Town Meeting for approval. Mr. Mullaney has reported that the paving needs to be fixed. Ms. Jordan, Town Engineer Chris Gallagher, Mr. Mullaney and the paving contractor will meet there next week to discuss this.

Ms. Jordan talked to Mr. Mordini about this meeting and he is hopeful that they can come to the resolution. It was also noted that funds for the trees still need to be held for one year. The pavement also needs to be down for a year before the street can be accepted.

The Board discussed releasing the lot but with the understanding that the deficiencies in the road need to be addressed.

A motion to release Lot 7 on VanDoorn with a letter stating the Board’s concerns with the roadway and how it may affect future lot releases on Westin Avenue was made by Mr. Rhoads and seconded by Mr. Bressé. The motion carried 5-0-0.

Minutes

The Board reviewed the minutes of June 11, 2015.

A motion to approve the minutes of June 11, 2015 as amended was made by Mr. Rhoads and seconded by Mr. Bressé. The motion carried 5-0-0.

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

Respectfully submitted,

Diana Gray

Approved by: William Grieder

Date: 11/12/15