



BOARD OF APPEALS
TOWN OF FOXBOROUGH
40 SOUTH STREET
MASSACHUSETTS
02035

**Foxborough Zoning Board of Appeals Minutes
June 17, 2010**

Members present: Chairman Erik McKenzie, Member Neil Forster, Member Lee Estabrook, Alternates Chris Karvonen

The Chairman opened the meeting at 7:00 p.m.

7:00 p.m. Continued Public Hearing of Sage Realty Trust's request for a Comprehensive Permit to construct 44 townhouse units of which 11 units will be affordable on land known as Assessors Map 20, Parcel 409 in an R-40 Zoning District and Zone II Water Resource Protection Overlay District. Member Estabrook recused himself as an abutter. Marc Resnick has met with Steve Baker and Member Forster to review the drainage. Mr. Baker has sent an email to Mr. Resnick which he forwarded to the Board members and Outback Engineering stating that he feels that more test pits are needed near the detention pond. The engineers are willing to do this during the final design phase. Mr. Baker also feels that the groundwater mounding effects should be shown. Mr. Pavlik submitted a response to Maguire's concerns from their June 10th memo.

Member Forster had a follow up memo read into the record stating that he met with the peer engineers and the Town Planner to discuss the drainage and the need for additional test pits. Mr. Pavlik will do the additional test pits as requested, six more will be done. These tests will be witnessed by the BOH or the Maguire Group.

Chris McCoy of 16 Holbrook Street wanted to know why everything is based on 2002 data. The 2002 data will be confirmed with the new test pits.

There was a discussion on the buildings and their heights. Some stakes of the buildings were done at the site; the corners of the buildings closest to the abutters were staked out.

Martha McCoy of 16 Holbrook Street questioned why the number of units couldn't be reduced to reduce the drainage. They applicants are currently proposing 36 units down from 44 units previously; this is one quarter of what the state allows.

Member Forster is satisfied with the analysis that have been done, he is now willing to turn it over to the engineers and their expertise.

Andrea Randall questioned where the height of the building is measured from. The Building Commissioner will be consulted as to where the height is measured; the regulations are for 35 feet.

Marc Resnick met with the abutters on the buffering. The Shakeri's are requesting an 8-foot high cedar fence along the back of the property. The applicant is in agreement with this request; it will be placed between the cart path and the stone wall property line. The Harris's berm request has not been finalized. Mr. Resnick is recommending a four foot berm between the stone wall and the cart path on a 2 to 1 slope so there will be no erosion onto the Harris property. What is to be put on the berm still needs to be settled, plantings, fencing, trees? Mr. Itani agreed to the berm, but wants to know what to put on it. The length of the berm also needs to be agreed upon. The Harris's want the whole property line done, but Mr. Itani just wants to do the section abutting the house, it was noted that there is a six foot drop in one section.

The Ayoub's would like to see white pines and the Dorrs fence is encroaching on the developments property line and needs to be relocated.

It is hoped that the buffering plan can be agreed upon by the next meeting. The Harris's would like to see more stakes for the buildings and consult with a landscape architect.

The exterior of the buildings will be in earthy colors and as much of the existing vegetation and trees will be preserved.

Mr. Itani will not be available at the next meeting on July 15th, the Board's deadline is currently July 16th; he is willing to grant an extension for two more weeks after that date to close the hearing.

The hearing was continued to July 15, 2010 at 7:00 p.m.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Diana Gray