

**Foxborough Planning Board
Meeting Minutes
December 11, 2014
Boyden Library Community Meeting Room**

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

Members Absent: Kevin Weinfeld, John Rhoads

Also Present: Planner Sharon Wason

7:00 Review of Old/New Business

Active Subdivisions

Ms. Wason informed the Board that Mr. Mullaney is not pleased with the paving at Weston Avenue in the Governor's Meadow subdivision and Mr. Greene agrees; there is severe puddling, parts are not level and there is a joint in the middle of the paving. Town Engineer Chris Gallagher also has the same opinion. The Board would like a letter sent to Mr. Mordini stating that the paving is unacceptable along with a copy of Mr. Mullaney's reports.

Correspondence Review

A letter has been received from the Kennedy Donovan Center asking to rezone their building on Central Street from residential to General Business as part of the Master Plan as they would like to have a larger building on the site. Ms. Wason commented that this is on Route 140 so they may have a problem getting a curb cut and she would not be in support unless they could remedy their current access. The Planning Board is not inclined to sponsor this as a Zoning Article. A letter will be sent with the concerns with a CC to Bill Buckley.

FY16 Budget

Ms. Wason is proposing a mostly level funded budget with increases to Advertising, Dues and Subscriptions and Training and Development. Ms. Jordan also brought to Ms. Wason's attention that other town hall departments are using the water cooler on a regular basis so that the bill which used to be \$5 per month has increased to \$35 per month. This will require an increase in the budget from \$250 to \$500. Ms. Wason would like to submit a budget in the amount of \$48,200. The staff will remain at Planner 40 hours, Staff Planner 25 hours and Administrator 35 hours.

A motion to approve the budget for FY16 in the amount of \$48,200 as presented was made by Mr. Grieder and seconded by Mr. Greene. The motion carried 4-0-0.

Ms. Wason noted that the newspaper advertisement for the Fire Station reuse RFP was paid for out of the Planning Board budget.

Minutes

The Board reviewed the minutes of October 20, 2014.

A motion to approve the minutes of October 20, 2014 was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

Lighting at Jake n Joe's

Ms. Wason has not had the opportunity to drive by Jake n Joe's after dark yet but they do have a photometric plan on file. It has been reported that there is light spillage coming from the property. A letter will be sent to Jake n Joe's asking them to attend a future meeting.

Action Items

Cumberland Farms is requesting release of their Performance Guarantee; the as-built plans have been submitted. Ms. Wason has concerns with the parking near the gas pumps and feels a one way in and out is needed. A letter will be sent to that effect.

Mr. Grieder produced a letter in regards to Annette Road stating that Mr. Rodman would be responsible for it; the paving is deteriorating and the Board would like a letter sent asking Mr. Rodman to address it.

Public Hearing – Accessory Apartment Special Permit – Paul Meskonis – 1 Betsy Davis Drive

Mr. Meskonis was present and explained that he moved to town last August with his 80 year old mother. He would like to add additional square footage for a living room and bedroom of the in-law portion of the house. The addition will blend with the existing home and the total number of bedrooms and bathrooms will remain the same. The addition will not be in any setbacks.

The Board of Health has approved the Title 5 for the property and the Fire Department has no concerns. A letter from the Building Commissioner states that he has no objections.

Ms. Wason would like the home to retain the appearance of a single family home. The home is located on a dead end street with only three homes on the street.

No abutters were present.

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

A motion to approve the Special Permit for an Accessory Apartment with Findings:

1. That the proposed conversion is in harmony with, and fulfills the intent of Section 8.1.2 of the Bylaws and
2. Pursuant to Section 10.4.2 of the Special Permit criteria, the Board finds that the adverse effects of the proposed use do not outweigh its beneficial impacts to the Town or the neighborhood

and Conditions:

1. This permit is specific to the petitioner. It is not transferable, nor shall it run with the land.
2. Occupancy of the second unit shall be limited to Mr. Meskonis' mother, Marilyn Meskonis. This Permit shall expire upon the home being sold or when the petitioner's parent no longer resides in the unit.
3. The kitchen facilities of the accessory apartment shall be removed when the accessory apartment is no longer needed unless the Planning Board determines the facilities (as altered or modified) are incidental and subordinate as an accessory use to a single-family dwelling.

4. This Special Permit shall be recorded at the Registry of Deeds and referenced to the deed of the parcel prior to its taking effect. A copy of the recording information shall be supplied to the Building Commissioner and Planning Office prior to a Building Permit being issued.

5. Any change(s) from this permit or any of its conditions deemed substantive by any Town official shall be submitted for review to the Planning Board. The Board shall determine if there is a need for a public hearing and shall then act accordingly on the change(s).

was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

Spring Town Meeting Articles

Ms. Wason met with the Water and Sewer Commissioners this past Monday in regards to reducing the size of lots for private development from 40,000 sq. ft. to 25,000 sq. ft. by Special Permit if lots are connected to sewer through the Planning Board. The BWSC did not indicate whether or not they supported this concept so it will not be pursued at this time.

Ms. Wason would like to work on changes to the Open Space Residential Development Bylaw to bring it up to date, this could be dovetailed with the Subdivision Rules and Regulations update. The Board is agreeable to including this article.

Ms. Wason also proposes dropping Watchman's Quarters as an allowed use in all districts except the GB or LI districts; presently it is allowed in all districts. No decision was made as to whether or not to include this article.

Ms. Wason would like to include Scenic Roads for residents who petition the town, requirements need to be established. The Planning Board would not be the sponsor, the residents of the road would.

Ms. Wason would also like to drop Residential Compounds from the Use Table and to require Environmental Impact Statements (EIS) for Special Permits other than Site Plan Review. The Board does not want to pursue the Residential Compounds at this time but is agreeable to the EIS requirement.

The Foxboro Center Overlay District needs changes to the Dimensional Table to address how many units should be allowed per lot area. An applicant before the Zoning Board is looking to add four additional units where there are already four units. Ms. Wason will send a letter to the Zoning Board addressing this issue for that application.

The Master Plan should be ready by the Fall Town Meeting.

Wyman Village 40B Density Memo

The ZBA has a Comprehensive Permit application in front of them for 20 detached single family homes on Community Way. Initially they were proposing on-site septic but are now proposing to connect to town sewer. The ZBA would like the Board's input on the density of the project. The lot sizes range from 3,879 sq. ft. to 7,279 sq. ft. with an average of 5,200 sq. ft. Several of the homes are within six to seven feet of the roadway and one home would be fifteen feet off of the MBTA right of way. Ms. Wason compared this proposal to other areas in town such as Ouimet Lane. Ouimet Lane has 19 homes with lot sizes ranging from 6,761 sq. ft. to 11,577 sq. ft. with an average of 9,327 sq. ft.

They are also requesting a number of waivers in regards to parking, driveways, street width, sidewalks, cul-de-sac size, curbing, streetlights and stormwater management. The original application requested a waiver for street trees, but the most recent plan includes street trees.

The Board members feel that putting 20 homes on the parcel is too many, some of the other lots in town that are small pre-date zoning and should not be used to justify this project. The Board also noted that there is not a lot of public area to make up for the small lots. In regards to the waivers, streetlights should be required and it was noted that the fire department would need a 90 foot diameter in the cul-de-sac, not the 70 being shown on the plan.

Developer Joe Lynch was present and showed the Board the submitted plan as well as the latest update to the plans.

Ms. Wason will send a memo to the ZBA recommending reducing the number of homes by eliminating the one nearest the MBTA tracks and to ask the applicant to clarify the waivers being requested as well as the concerns about streetlights and the width of the cul-de-sac.

Minor Modification – Gillette Stadium

Woody Beals, Dan Krantz, Mike Titus, and Vi Ho of the Kraft Group were present along with Atty. Peter Tamm of Goulston & Storrs, and Engineer Craig Lizotte of VHB.

Mr. Grieder stated that a new process needs to be determined for handling minor modifications at the stadium; a threshold needs to be determined on the number of minor modifications that would trigger a major modification.

Mr. Beal reviewed the proposal for an ancillary storage building next to the south ramp and loading docks. With the planned South End Zone Club improvements they need to relocate the facilities and operations staff and storage area. The proposed building will be a three level 20,000 sq. ft. with a 10,000 sq. ft. footprint with connection to the south ramp of the stadium. There will be no public access to the building.

Building Commissioner Casbarra has submitted a memo stating the concerns of the Fire Chief and the Police Chief. Chief Hatfield wants to make sure fire apparatus will have clearance under the building and be able to make the turn radius. Chief O'Leary stated that the current booking and holding areas will need to be relocated to a new area.

Mr. Casbarra would also like a construction safety plan in place.

Mr. Beal stated that the height below the addition will be 17'6" which will accommodate a tractor trailer so he foresees no problems with fire equipment.

Representatives from The Kraft Group have met with Chief O'Leary and explained the changes to the holding area. Mr. Titus explained that the holding area will be expanded and new cells will be built under the south ramp which will be sheltered from the weather.

Mr. Grieder requested that written comments be submitted by both Chiefs that they are agreeable to the plan. Mr. Grieder also has concerns with the underground utilities in the area and feels that a specific area should be designated for Medevac helicopters. Employee egress flow and signage should also be included on the plan.

Mr. Greene asked if there would be changes to the impervious surfaces on the site. Mr. Beal stated that a small 2,000 sq. ft. grassed area will be covered but most of the site is already impervious surfaces.

Atty. Tamm stated that they are aware of the underground utilities and are doing their due diligence to insure the adequacy and the location of the utilities. He stated that they would also be happy to discuss any Medevac requirements. He noted that this addition is located at the back of the stadium in a restricted area and there will be no public access; which he feels will not have any impact on stadium operations.

Atty. Tamm also submitted a listing of the development history at the stadium with the modifications granted. This addition will not change the intensity of the use and is just a reallocation of storage and personnel. There will be no changes to existing parking or public access or egress.

He also noted Condition #16 of the 2000 Site Plan Approval which states the criteria for a Minor Modification.

The Board would like a process for Minor Modifications that is closer to the Site Plan Approval process that would include other Boards and departments in town; currently there is no clear process for Minor Modifications.

Mr. Beal stated that they would like to get in the foundation before winter sets in.

Board of Selectmen member Ginny Coppola asked if the changes to the holding area could be forwarded to the Town Manager.

Mr. Grieder stated that the Board's concerns need to be addressed as well as comment letters from the Police and Fire Chief. This will be continued to the January 8th meeting.

Discussion with Jim DeVellis/225 Foxborough Blvd Realty Trust RE: 225 Foxborough Blvd. parking lot improvements

Engineer Jim DeVellis and owner Bob Considine met with the Board to discuss proposed improvements to 225 Foxborough Blvd. This commercial building was built in the 1980's and has not had any improvements since 1988. Mr. Considine would like to give the building a facelift and improve the parking lot area to attract new tenants as the existing tenant is leaving in January 2015. Improvements to the main entrance will be made as well as changes to the landscaping, adding of porticos and handicapped access. The parking lot would be increased by more than 1,000 sq. ft. which requires approval of the Planning Board. They would also be improving the stormwater system.

Ms. Wason recommends they apply for a Minor Modification focusing on the portion of the parking area that will be changed; full Site Plan Approval is not needed at this time.

Master Plan

A workshop is being planned for January 29th.

The Board discussed problems with extending the Economic Overlay District; it could lead to problems that may require the whole district to be rewritten.

It needs to be determined what in the EOD appeals to the landowners.

A motion that the Planning Board removes from consideration the expansion of the Economic Overlay District and will concentrate on adjustments to the S1 and Highway Business Districts on Route 1 during the Master Plan process was made by Mr. Greene and seconded by Mr. Bressé. The motion carried 4-0-0.

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

Respectfully submitted,

Diana Gray

Approved by: Kevin Weinfeld

Date: 3/12/2015