



**TOWN OF WESTFORD
PLANNING DEPARTMENT**

TOWN HALL
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APPROVED March 21, 2011

Planning Board Meeting Minutes

December 7, 2010

Place: All Purpose Room, Millennium School, Depot Street

Present: Michael Green, Kevin Borselli, Dennis Galvin, Kate Hollister, Fred Palmer

Staff Present: Angus Jennings, Paul Starratt

Open Forum:

Hollister stated she attended the Citizens Planner Training in November. She stated Appendix C of the Master Plan is inaccurate so she reviewed her old drafts, updated, and submitted it for inclusion in the Master Plan. They are unsure how to include this at this point.

Green stated he has received correspondence from Valerie Wormell regarding her request for feedback from the Board on the Public Works working group. He recalled the Board's position was to review a draft and comment at that time. He stated he will respond to Wormell.

Starratt stated the project on Nutting Road community fields has been started. He will be scheduling a pre-construction meeting to discuss the conditions issued by the Board.

7:34 P.M. Introduction of Stephen Wallace, Town Planner

Green introduced and welcomed Stephen Wallace, the newly hired town Planner, who will begin working on January 3, 2011.

**7:35 P.M. Public Hearing – Stony Brook Housing II
PB1016 SP/SPR**

Westford Housing Authority

Continued from November 15, 2010

Green stated the applicant has requested a continuance until January 18, 2011 without discussion.

This hearing will be continued to Tuesday, January 18, 2011 at 7:35 p.m. in the New Town Hall, 55 Main Street.

APPROVED March 21, 2011

General Business:

A. Draft Correspondence - Green stated they have sent out correspondence to the Boards and Committees soliciting volunteers for participation on the Comprehensive Master Plan Implementation Committee.

B. Update Wireless Communication Facility Initiative – Jennings stated they held the first of two public workshops for this initiative on November 16. He feels the attendance was okay, but it is available on line and cable for anyone who wishes to view it. There will be a meeting of the working group on December 16 at 10:00 a.m. that will include the consultant, Chief of the Water Commission, Paul Fassbender, and a student intern who has been helping with this project. He stated as part of this process the consultant is looking at public spaces that may be available for this type of facility, which would be considered on a case by case basis.

C. Planning Board Annual Report – Jennings stated this is due to the town clerk at the end of the next week. Green stated typically staff creates a draft and the Board reviews it and provides comments. Palmer volunteered to be the Board designee to work with Jennings in preparation of this information.

D. Update on Bruce Freeman Rail Trail Designer Selection Process – Jennings stated there were several suggestions made during the recent public hearing on parking. This was not part of the RFP Mass DOT issued, however, after a consultant is selected the project manager, who is the planner in Acton, stated he will be happy to try to advance this discussion. At Starratt's suggestion the Board of Selectmen has designed Jeremy Downs, the Assistant Town Engineer, to represent the town in the designer selection process. Downs has attended several meetings and provided a detailed memo which is included in the Board's packet.

E. Correspondence, Mass Development Letter Regarding Proposed Solar Array at 540 Groton Road

Jennings stated a letter was received seeking input from the Board on whether the proposed solar array is compatible with existing local plans. He feels there is no response needed, however, if there are comments the Board would like to put on record they can do so. The Board was in agreement that no response is necessary.

F. Acceptance of Minutes:

October 4, 2010 - *Motion made to accept the minutes as amended. The motion passed by a 4-0-1 vote.*

**8:00 P.M. Public Hearing, Boch Honda West Drive Through
PB1017 SPR/SP(3)
Boch Westford LLC
Continued from November 1, 2010**

**8:00 P.M. Public Hearing, Boch Honda West Modification
PB1014 SPR/SP(3)
Boch Westford LLC
Continued from November 1, 2010**

Green stated this is a closed public hearing and the Board will be deliberating, there will be no further public input or new information accepted. From a process point of view he would like to deliberate the drive through, then the overall special permit, then into site plan, including the water resource protection district update.

The Board reviewed the plans in their packet to ensure everyone had the most current plans available.

Palmer stated he would like to add two conditions. The first condition stating there will be queuing of no more than two vehicles at a time. The second condition pertains to what is performed in the bays. Galvin suggested a condition regarding internal circulation of the site indicating traffic would not extend to any point where it would affect Route 110 traffic, or obstruct the access and egress of emergency vehicles onto the site. Green suggested the applicant submit an operations manual of how they will handle excess queuing.

After discussion Palmer suggested a revised condition stating: Prior to the issuance of an occupancy permit the applicant shall provide a written procedure that will prevent queuing of vehicles in front of the express service bays that would affect safety and internal circulation. Jennings recommended adding a phrase at the end that two cars deep queuing does not impede interior circulation.

After discussion, Palmer read a condition stating: Prior to the issuance of an occupancy permit the applicant shall provide written procedures that will prevent vehicle stacking that would impact emergency access and traffic on Route 110, and queuing of vehicles in front of the express service bays not to impact safe internal circulation. Two car queues at the bays does not constitute excessive queuing.

Hollister stated aside from traffic, massing and size of the structure is of concern already, without the addition of this facility. She does not feel this is compatible with the neighborhood, the other buildings along Route 110, and the Route 110 master plan. She feels the onus is on the applicant and does not feel the need outweighs the detriment to the community.

Green stated he was not satisfied with the plan as presented in terms of the adequacy of pedestrian crossings. He stated he does not feel the applicant adequately represented that their current operation of 38 bays and a 3 x 3 vehicle staging area could not handle such service in a reasonable manner to satisfy the customers. He stated other Honda dealerships have dedicated one of their service bays as an express bay.

After extensive discussion decision was made to move on the decision on the special permit for a drive through facility.

Motion made to approve the special permit under Appendix A, Table of Principle Use and Regulations, of the Town of Westford Zoning Bylaw to Boch Westford LLC to allow for a drive through vehicle lubrication facility. The proposal is shown on plans entitled Boch Honda West Site Plan, Westford, MA, prepared by Acton Survey and Engineering dated February 6, 2009, revised through September 10, 2010, and covered by staff's issues for consideration dated December 7, 2010 and amended here tonight. Motion seconded. The motion failed by a 2-3-0 vote.

Green stated there is a Water Resource Protection District special permit. Jennings stated the plans on record show all aspects of the proposed modifications, and if the quick lube failed then updated plans will need to be referenced in the decision.

Green suggested a condition that the updated plan set include the updates for the car wash facility and the storm water management operation maintenance, erosion sedimentation control, intersection alignment at Route 110, and proposed subsurface sewerage disposal systems.

Motion made to approve the special permit under Section 8.1.7 of the Town of Westford Zoning Bylaws to Boch Westford LLC to allow the modification of the approved motor vehicle repair shop which contains underground and above ground storage of hazardous material, including fuel oil, gas. The proposed modification is shown on plans entitled Boch Honda West Site Plan, Westford, MA, prepared by Acton Survey and Engineering, dated February 6, 2009 and revised through September 10, 2010, and covered by staff's order of conditions dated December 7, 2010 and amended here tonight. Motion seconded. The motion passed by a 5-0-0 vote.

Motion made to remove quick lube from the issues for consideration for the MCP modification. Motion seconded. The motion passed by a 5-0-0 vote.

Hollister stated she would like a condition added that the car wash not be used for general retail purposes.

Motion made to approve the modification of the major commercial project MCP special permit submitted under Section 9.3A of the Town of Westford Zoning Bylaw to Boch Westford LLC for the construction of a 3900 square foot express lube and 1200 square foot car wash. Proposed modification is shown on the plans entitled Boch Honda West site plan, Westford, MA, prepared by the Acton Survey and Engineering Company dated February 6, 2009, revised through September 10, 2010, and covered by staff's issues for consideration dated December 7, 2010 and amended here tonight. Motion seconded.

Green stated he would like to amend the motion to remove construction of the express lube from the MCP application.

Motion made to amend the above motion and remove construction of the express lube from the MCP application. Motion seconded. The motion passed by a 3-2-0 vote.

On the original motion, as amended, the motion passed by a 5-0-0 vote.

Motion made to approve the modification for Planned Commercial Development PCD special permit submitted under Section 6.4 of the Town of Westford Zoning Bylaws to Boch Westford LLC for the construction of a 3900 square foot express lube and a 1200 square foot car wash. The proposed modification is shown on plans entitled Boch Honda West Site Plan, Westford, MA, prepared by Acton Survey and Engineering, Inc. dated February 6, 2009, revised through September 10, 2010, covered by staff's issues for consideration dated December 7, 2010 and amended here tonight. Motion seconded.

Motion made to amend the above motion and remove express lube from the plan. Motion seconded. The motion passed by a 3-2-0 vote.

On the original motion, as amended, the motion passed by a 5-0-0 vote.

Motion made to approve the modification to the site plan submitted under Section 9.9 Town of Westford Zoning Bylaw, to Boch Westford LLC, for the construction of a 3900 square foot express lube and a 1200 square foot car wash. Proposed modification is shown on plans entitled Boch Honda West site plan, Westford, MA, prepared by Acton Survey and Engineering, Inc. dated February 6, 2009 and revised through September 10, 2010, and covered by staff's issues for consideration dated December 7, 2010 and amended here tonight. Motion seconded.

Motion made to amend the above motion to remove express lube from the site plan. Motion seconded. The motion passed by a 3-2-0 vote.

On the original motion, as amended, the motion passed by a 5-0-0 vote.

**8:30 P.M. Public Hearing, Pageant Way
PB1024-DEF
Land off Hildreth Street**

Green read aloud the public hearing notice.

Motion made to open the public hearing. Motion seconded. The motion passed by a 5-0-0 vote.

Douglas Deschenes, representing the applicant, addressed the Board. He stated they are seeking a special permit and modification for a two lot subdivision. The site is 3.1 acres. The site is the location of a two lot subdivision approved the Board in April 2001. At that time a flexible development special permit, as well as a definitive subdivision for the development of two lots was granted. At that time waivers were granted for the requirement of sidewalks, curb gutter requirement, and circular turnaround. The new plan is markedly similar to the 2001 plan. Deschenes provided a brief overview of the plan. He stated the owners never moved forward with building this development and Mr. O'Neil has entered into an agreement with the current owners to purchase the property, but the special permit has expired.

Deschenes explained the changes in the new plan as compared to the original plan. There was a small strip of land on the original planning providing public access through the property out to the back. This has been eliminated on the new plan as there is now access to the back further down on Hildreth. The lot was originally 1.4 acres and is now 1.14. All the drainage has been pulled away from the wetland so there is no work being done within 100 feet of the wetland. The original plan had an elaborate gate and wall at the entrance way. The new plan has a much more conservative stone wall entrance. He stated that it needs to be confirmed that the previous owner paid the town \$5,000 in lieu of sidewalks.

Starratt stated they would like to review this in-house relative to drainage and zoning.

Jennings asked if a scenic road permit was issued in 2001. Green stated he believes there was. Jennings stated they need to determine if this has expired and this will need to be coordinated with the applicant. Deschenes stated he was not sure if this was required. Jennings stated if there is any effect on stone walls or trees within the right of way it would be required.

Borselli stated he has a few engineering questions, but will wait until staff has conducted an engineering review.

Palmer asked if the Fire Department had reviewed the 18 foot drive and T turnaround. Deschenes stated he has not contacted the Fire Department. Jennings stated he believes Altobelli did this before he left but this will have to be confirmed. Palmer stated he would like to have a site walk to see the rock wall and trees.

Hollister asked what the benefit is to anyone to having a flexible development over a conventional plan. Deschenes stated the benefits are less impervious surface and more open space. Hollister stated that it also requires 15% affordable housing and asked if one of the houses is going to be affordable.

Deschenes stated the flexible development bylaw provides for a better planning tool to design lots, with less disturbance, and the ability to pull away from the wetlands and not have to go into the buffer.

Hollister asked if the applicant will have to apply for a waiver for the affordable component. Green indicated they would. He asked staff to review the flexible development bylaw to ensure there have been no changes since 2001.

Questions and Comments from the Audience:

Ellen Harde, 39 Main Street – She stated she is viewing this as a historian. She stated the stone walls on this property are extraordinary. She stated this is a scenic road and feels it is imperative that this Board ensure the changes reflect and retain the stone wall. She feels in the public hearing notice it would be helpful to know the name of the applicant and which property they were discussing.

A site walk was scheduled to be held on Saturday, December 11 at 9:00 a.m.

This hearing will be continued to Monday, January 3, 2011 at 7:35 p.m. in the New Town Hall, 55 Main Street.

Update on 48 Main Street, First Parish Church – Jennings stated the ZBA is considering a pending appeal of the Building Commissioner's issuance of a building permit for the work at 48 Main. They conducted one session of the hearing and had continued it to December 1. There was a meeting held between staff, representatives of the church, the church's counsel, and representatives of the appellant to the permit a week prior to December 1 and the decision was made that there was not enough time to turnaround revised plans in time for the December 1 meeting, so with the agreement of all parties the hearing was postponed to December 15 at 9:00 p.m. The ZBA is looking at the pending appeal, but also some of the site plan issues, and the Chair has indicated he sees the ZBA as the appropriate forum to deal with those issues. The church has submitted amended plans which were received today.

Green stated he attended the November 17 ZBA meeting and reiterated concerns over the technical items the Planning Board discussed. He stated they noted some of the issues that have been

ongoing for years, but also concurred there needs to be one physical place for those to be reflected in the plan set as part of the recorded record.

Mrs. Connell, the abutter to the church, addressed the Board. She expressed concern over ongoing drainage issues affecting her property, continuous blockage of the fire lane, and dumpsters on site. She also mentioned the ongoing problem with noise from the function hall.

Alex Cannella, 4 Connell Drive – He confirmed what Mrs. Connell stated. They have had several meetings with the church and very plainly stated what their concerns were in terms of being a good neighbor and they made no concessions. He feels nothing is sincerely being done.

Green stated he will try to attend the next ZBA hearing to ensure these concerns are being addressed.

Discussion, Boch Honda Signs – Paul Alphen addressed the Board. He stated the Board of Selectmen is going to see the sign permit application for the Boch building which were previously approved on December 14. The signs are the exact signs that were on the approved site plan, the Boch Honda West, the big H, the Honda and the service department sign. He asked if the Board had any problems with these signs that could be addressed prior to meeting with the Board of Selectmen.

Green stated he is comfortable, though he would argue the H and the Boch Honda West are split. He raised concern on the math used for the service area, as it appears they were taken as two separate boxes. Palmer commented looking at the total allowable signage in the bylaw and the number of signs proposed the applicant may not have the cushion they feel they have.

Presentation from the Organization for the Assabet River/Geosyntec Regarding the Nashoba Brook Watershed, Stormwater Recharge

Alison Field-Juma, Executive Director, addressed the Board. She stated they are the organization that works on protecting the Assabet River and the tributaries that flow into it. They have been looking at storm water and what the best ways are to recharge storm water to reduce pollution, reduce flooding, and to improve recharge for town wells. They have been working with the Planning Department and hope the information provided can be used as a tool.

Starratt stated this report will be accessible through the Engineering Department website.

Paul Russell, Geosyntec Consultants, addressed the Board and provided a detailed report of the project they conducted looking at water quality and recharge.

Motion made to adjourn. Motion seconded. All in favor.

Michael Green
Chairman

Note: *These minutes are based on the writer's interpretation of discussions that took place during the meeting. If any discrepancies are noted, please advise Angus Jennings.*