

1 **Approved April 3, 2023**

2  
3 **PLANNING BOARD**  
4 **MEETING MINUTES**

5 **Monday, February 27, 2023, 7:00PM**  
6 **McAuliffe Hearing Room – Southborough Town House**  
7 **17 Common Street – Southborough, Massachusetts**  
8

9 Members present: Meme Luttrell, Jesse Stein, Marnie Hoolahan, and Debbie DeMuria. Also present:  
10 Karina Quinn, Town Planner and Colleen Stansfield, Business Admin. Absent: Andrew Mills (Joins the  
11 meeting @ 8:17pm)

12  
13 **CALL TO ORDER:**

14  
15 Ms. Luttrell called the meeting to order at 7:00PM. Ms. Luttrell stated: For this meeting, members of  
16 the public who wish to watch or participate in the meeting may do so in the following manner by finding  
17 the meeting at: <https://www.southboroughtown.com/remotemeetings> through ZOOM and YouTube.

18  
19 **DISCUSSION: Planning Board Contingency in the Memorandum of Understanding (MOU) between St.**  
20 **Mark’s School and the Town & Discontinuance (Town Counsel Attending):**

21 Town Counsel Jay Talerman appeared before the Planning Board on the matter. Ms. Luttrell asked why  
22 the Planning Board Contingency is in the MOU. Atty. Talerman stated that St. Mark’s had requested the  
23 Planning Board Contingency be inserted in the document. He stated St. Mark’s wants to ensure they will  
24 receive all the necessary approvals that are needed to work on the property they would be receiving in  
25 the land swap. He stated that if Town Meeting fails to approve the land swap, the transaction is  
26 cancelled and the only surviving license would apply to the Town’s obligation to restore St. Mark’s  
27 property to the way it was in the early stages of the project. Ms. Luttrell asked that the final sentence of  
28 the Planning Board’s contingency be removed. Atty. Talerman stated it seems harmless that the  
29 language remain in the agreement since his understanding is that St. Mark’s intends to apply for site  
30 plan approval. Mr. Stein asked what would be null and void if Town Meeting fails to approve the MOU.  
31 Atty. Talerman stated the project as it is currently envisioned with the land swap approved by Town  
32 Meeting would be null and void. The Planning Board and Atty. Talerman discussed what would happen  
33 if Town Meeting failed to approve the MOU. Mr. Stein stated he advocates clarifying the language so  
34 that citizens understand that the existing reciprocal licenses are terminated by the executed MOU. Ms.  
35 DeMuria stated she supports removing the Planning Board Contingency in its entirety and stated she  
36 does not want a restriction on the Planning Board in the MOU that alters the ability of the Planning  
37 Board to perform appropriate site plan review. The Planning Board discussed whether St. Mark’s Street  
38 had been accepted as a Town road. Atty. Talerman stated that it is his understanding that St. Mark’s  
39 Street is a public way and discontinuing the road requires a Town Meeting vote of a simple majority.  
40 Ms. Luttrell asked if Town Meeting votes to discontinue the road, would that portion be closed until the  
41 new road is built. Atty. Talerman stated that, from a liability perspective, it would be advisable. Ms.  
42 Hoolahan asked what would happen if Town Meeting does not vote to discontinue the road. Atty.  
43 Talerman stated the road would remain a public way that the Town would have to maintain unless the  
44 Select Board voted to abandon maintenance of the road during the construction period, noting it would  
45 still remain a public way. Ms. Quinn asked if there is any unusual or impactful risk for the Town with the  
46 MOU or the road discontinuance. Atty. Talerman stated he believes there is no risk for the Town. The  
47 Planning Board discussed the Planning Board Contingency in the MOU. The Planning Board agreed to  
48 recommend removal of the following language before the Select Board’s February 28<sup>th</sup> meeting: 2<sup>nd</sup>  
49 sentence: “or contains conditions unacceptable to the School”; 4<sup>th</sup> sentence – “or, alternately, provide

50 notice that such approval is not required.” The Planning Board agreed to recommend ascertaining if the  
51 Town has ever accepted the road but took no other action at this time.

52 **PUBLIC HEARING: 241-245 Turnpike Rd. (Car Condos) Major Site Plan Approval**

53 **MOTION** by Mr. Stein to continue the public hearing for 241-245 Turnpike Road (Car Condos) Major Site  
54 Plan Approval to March 13, 2023, at 7:05PM. **SECONDED** by Ms. Hoolahan. **ROLL CALL: Luttrell-Yes,**  
55 **Stein-Yes, Hoolahan-Yes, DeMuria-Yes. VOTE to Approve: Yes-4, No-0.**

57 **PUBLIC HEARING: 241-245 Turnpike Rd. (Car Condos) Special Permit for Lower Impact Development**  
58 **(LID)**

59 **MOTION** by Mr. Stein to continue the public hearing for 241-245 Turnpike Road (Car Condos) Special  
60 Permit for Lower Impact Development (LID) to March 13, 2023, at 7:05PM. **SECONDED** by Ms.  
61 Hoolahan. **ROLL CALL: Luttrell-Yes, Stein-Yes, Hoolahan-Yes, DeMuria-Yes. VOTE to Approve: Yes-4,**  
62 **No-0.**

64 **PUBLIC HEARING: 325 Turnpike Road (Sound Barrier Wall) – Modification to a previously approved**  
65 **Major Site Plan Approval (Continued from 1/23/23, 2/6/23)**

66 **MOTION** by Mr. Stein to extend the decision deadline to March 17, 2023, for 325 Turnpike Road (Sound  
67 Barrier Wall)-Modification to a previously approved Major Site Plan Approval. **SECONDED** by Ms.  
68 Hoolahan. **ROLL CALL: Luttrell-Yes, Stein-Yes, Hoolahan-Yes, DeMuria-Abstain. VOTE to Approve: Yes-**  
69 **3, No-0, Abstain-1.**

71 **MOTION** by Mr. Stein to continue the public hearing for 325 Turnpike Road (Sound Barrier Wall)-  
72 Modification to a previously approved Major Site Plan Approval to March 13, 2023, at 7:10PM.  
73 **SECONDED** by Ms. Hoolahan. **ROLL CALL: Luttrell-Yes, Stein-Yes, Hoolahan-Yes, DeMuria-Abstain.**  
74 **VOTE to Approve: Yes-3, No-0, Abstain-1.**

76 **DISCUSSION: Master Plan Implementation Committee (MPIC) Briefing**

77 Ms. DeMuria reported that the MPIC has met several times and its members have begun meeting with  
78 and collecting information from Town boards, committees and departments. She reported that she  
79 expects the MPIC’s first quarterly update to the Planning Board to occur at the April 3, 2023, meeting.

81 **PUBLIC HEARING: Tree Protection Bylaw Warrant Article (Continued from 1/23/23, 2/6/23)**

82 Ms. Luttrell stated she would review her PowerPoint presentation for Town Meeting with the Planning  
83 Board at its next meeting. She asked for feedback from the Planning Board on a new slide, which  
84 clarifies the bylaw. The Planning Board and Ms. Quinn offered their suggestions.

85 **MOTION** by Mr. Stein to continue the public hearing for the Tree Protection Bylaw Warrant Article to  
86 March 13, 2023, at 7:15PM. **SECONDED** by Ms. Hoolahan. **ROLL CALL: Luttrell-Yes, Stein-Yes,**  
87 **Hoolahan-Yes, DeMuria-Yes. VOTE to Approve: Yes-4, No-0.**

89 **PUBLIC HEARING: Scenic Road Bylaw Warrant Article (Continued from 1/23/23, 2/6/23)**

90 Ms. Hoolahan stated that the purpose of the bylaw is designate 67 additional roads as scenic and to  
91 simplify the Town’s administrative and logistical management of scenic roads.

92 **MOTION** by Mr. Stein to continue the public hearing for the Scenic Road Bylaw Warrant Article to March  
93 13, 2023, at 7:20PM. **SECONDED** by Ms. Hoolahan. **ROLL CALL: Luttrell-Yes, Stein-Yes, Hoolahan-Yes,**  
94 **DeMuria-Yes. VOTE to Approve: Yes-4, No-0.**

96 **PUBLIC HEARING: Conservation-Zoning Amendment (174-8.9) Wetland & Floodplain District**  
97 **(Continued from 2/6/23)**

98 Ms. Melissa Danza, Conservation Agent, appeared before the Planning Board on both Conservation  
99 Zoning amendments. Ms. Danza stated the purpose of the first amendment is to bring Southborough

100 into compliance with the Federal flood insurance program standards through FEMA. She stated that the  
101 amendment adds definitions, contact information and record keeping responsibilities. Ms. Luttrell  
102 asked if the amendment would be removed from the Zoning Code. Ms. Danza replied that it would not  
103 and that the amendment is proposed to change an existing bylaw. There were no questions from the  
104 Planning Board on the matter.

105

106 Mr. Mills joined the meeting in person at 8:17PM.

107

108 **PUBLIC HEARING: Conservation- Zoning Amendment (174-13.5) Storm water & Erosion Control**  
109 **(Continued from 2/6/23)**

110 Ms. Danza stated that there are two approvals required for this bylaw. She stated that Town Meeting  
111 would first be asked to remove the entire existing bylaw from the Zoning Code. If that vote were  
112 successful, Town Meeting would be asked to insert the proposed amended bylaw into the General Code.  
113 She stated that the amended bylaw changes the thresholds in the applicability section to ensure  
114 equitability and consistency throughout all zoning districts. It also describes enforcement of the non-  
115 segmentation of land and creates an administrative review process for disturbances of less than one  
116 acre. She also stated the bylaw proposes to change the appeal process from the ZBA to the Appeals  
117 Court. Ms. DeMuria asked if other towns have similar bylaws and where they are located within town  
118 codes. Ms. Danza stated that towns are required to have the bylaw, per EPA standards, and most are  
119 contained within town General bylaw section. Ms. Danza also discussed the past waiver of the School  
120 Street solar project.

121 **MOTION** by Mr. Stein to continue the public hearing for the Conservation-Zoning Amendment (174-8.9)  
122 Wetland and Floodplain District to March 13, 2023, at 7:25PM. **SECONDED** by Ms. Hoolahan. **ROLL**  
123 **CALL: Luttrell-Yes, Mills-Yes, Stein-Yes, Hoolahan-Yes, DeMuria-Yes. VOTE to Approve: Yes-5, No-0.**

124

125 **MOTION** by Mr. Stein to continue the public hearing for the Conservation-Zoning Amendment (174-  
126 13.5) Storm water & Erosion Control to March 13, 2023, at 7:25PM. **SECONDED** by Ms. Hoolahan. **ROLL**  
127 **CALL: Luttrell-Yes, Mills-Yes, Stein-Yes, Hoolahan-Yes, DeMuria-Yes. VOTE to Approve: Yes-5, No-0.**

128

129 **ANR: 150 Parkerville Road**

130 Ms. Quinn stated the Applicant, Adam Phaneuf, filed an ANR with the Town Clerk's office on February  
131 21<sup>st</sup> regarding Assessor's Map 19, Parcel 20D and 87 and Assessor's Map 9, Parcel 88. Ms. Quinn stated  
132 that the Applicant seeks to take the smaller triangle from Parcel A and join it to Lot 1, noting that Parcel  
133 A will remain an unbuildable lot. She also stated the Applicant seeks to move Parcel C to Lot 1. Adam  
134 Phaneuf, 150 Parkerville Road, stated that these conveyances are meant to clean up language in existing  
135 easements in the event there is ever a sale of the property. He stated that Parcel C provides access to  
136 his house and Parcel A is a land-locked piece of family trust property that Mr. Phaneuf's family is  
137 currently utilizing.

138 **MOTION** by Mr. Mills to endorse the ANR for 150 Parkerville Road Map 19-20D, Map 9-88 and Map 19-  
139 87, per the request of the Applicant. **SECONDED** by Mr. Stein. **ROLL CALL: Luttrell-Yes, Mills-Yes, Stein-**  
140 **Yes, Hoolahan-Yes, DeMuria-Yes. VOTE to Approve: Yes-5, No-0.**

141

142 **DISCUSSION: MBTA Communities**

143 Ms. Luttrell reported that Select Board Chair Cook had reached out to schedule a joint meeting with the  
144 Planning Board, SHOPC and the Advisory Committee to discuss the MBTA Communities project. The  
145 Planning Board decided the best time for them to meet is March 7<sup>th</sup> and Ms. Luttrell will report that  
146 information to Ms. Cook. Ms. Stansfield reported that she had received the award letter for the  
147 technical assistance grant. Ms. Quinn stated the Town would be receiving a CHAPPA grant for public  
148 engagement and Mr. Ballantine had informed her that ARPA funds would be available for expenses  
149 related to the MBTA Communities that were previously included in the Planning Dept. FY24 budget.

150

151 **DISCUSSION: St. Mark's Street relocation – PB Review under M.G.L. 41s 81 (I)**

152 Ms. Quinn updated the Planning Board on the status of the matter. She discussed when the report is  
153 due to the Select Board and advised that, while it is unclear, report delivery should occur no later than  
154 March 17<sup>th</sup>. She also advised that the Planning Board's report only deal with the physical aspects,  
155 including layout, of the street's relocation. She also advised that the Planning Board deliver a separate  
156 report on the road discontinuance to the Select Board. Ms. DeMuria asked that the report be presented  
157 at the March 13<sup>th</sup> meeting so the Planning Board can review and vote prior to delivering it to the Select  
158 Board and the Planning Board agreed with that approach. Mr. Greg Russell, from VHB, joined the  
159 Planning Board for the discussion. Ms. Quinn reviewed the Fuss & O'Neill comments that were  
160 delivered today to the Planning Board, VHB, Town Administrator Mark Purple and Select Board Chair  
161 Cook. Ms. Quinn reported that Fuss & O'Neill noted the plans were comprehensive and complete. Ms.  
162 Quinn reviewed the comments. She asked that stamped drainage calculations be provided and Mr.  
163 Russell stated he would provide that information. Ms. Quinn stated that the comments noted that the  
164 location and species of street trees we not on the plans. Mr. Russell stated that information is not  
165 typically included in roadway designs, but VHB had that information and would provide it. Ms. Quinn  
166 stated that Fuss & O'Neill requested that the design include drainage for a 50-year storm event. Mr.  
167 Russell explained that MA DOT provides guidelines for roadway design and VHB designs all public  
168 roadways for 10-year storm events. Mr. Russell stated he would provide Ms. Quinn with the MA DOT  
169 guidelines on the matter. Mr. Mills asked, given the library's history with flooding, why weren't larger  
170 pipes installed. Mr. Russell explained that grades and physical limitations dictated the size of pipe  
171 relative to the entire system. Ms. Hoolahan asked if the current pooling on St. Mark's Street would be  
172 resolved. Mr. Russell stated that, if the land swap were approved by Town Meeting, that land would  
173 become St. Mark's and their concern to resolve. Mr. Russell explained how the project addresses issues  
174 of water in the location of the Library. Ms. Quinn stated that the loam is light near the sidewalks. Mr.  
175 Russell stated more loam could be added. Ms. DeMuria asked if it was possible to ascertain which  
176 recommendations from the 2014 Pare report and the 2018 Weston and Sampson report were included  
177 in the design of drainage issues associated with the library. Mr. Russell stated they worked with Weston  
178 and Sampson on a drainage plan. Ms. DeMuria asked if anyone has looked at the drainage issue for the  
179 area holistically, including the present configuration and future designs. Mr. Russell stated that VHB had  
180 reviewed future conditions based on previous designs, with the gravel parking lot. The Planning Board  
181 discussed whether the road discontinuance was an ANR and Ms. Quinn stated she would seek  
182 clarification on that matter and pm the process, as well. The Planning Board discussed how best to  
183 convey their concerns with the project to the Select Board. The Planning Board agreed that Ms. Luttrell  
184 and Ms. Quinn would work on the following: a letter addressing the technical aspects of the plans,  
185 including Fuss & O'Neill comments, and a letter addressing the road discontinuance. The Planning Board  
186 agreed the letters would outline the Planning Board's concerns discussed this evening, including  
187 drainage, the ANR, timing and general process issues. Mr. Russell stated he would provide VHB's  
188 comments to the Fuss & O'Neill comments. Mr. David Parry, 22 Main Street, stated that he believes the  
189 drainage issues at the intersection can be resolved if the road is not discontinued by Town Meeting  
190 because pipes have already been installed.

191

192 **DISCUSSION: St. Mark's Street Park/Trees/Stonewall – update on status**

193 Ms. Quinn reported that Mr. Chris Leroy, Tree Warden Designee, had informed her he is working on  
194 applications for the consolidated hearings for tree removal, as well as applications for the hearings on  
195 the removal of the two stonewalls, and expects them to be filed by the end of March.

196

197 **DISCUSSION: Citizen's Petition – Proposed to Amend Chapter 447 regarding Public Works Planning**  
198 **Board (PWPB) & Appointment Authority**

199 Patricia Burns-Fiore, 10 Winter Street and sponsor of the Citizen's Petition appeared, via Zoom. She  
200 explained the Citizen's Petition. Ms. Luttrell asked if Ms. Burns-Fiore had spoken to Mr. Cimino, the  
201 Town Moderator, about the petition and she stated she had not. Ms. Luttrell asked if this was an

202 advisory in nature. Ms. Burns-Fiore stated the petition requests that the Select Board petition the  
203 Legislature to amend the 1991 Legislative Act, stating it is a non-binding request of the Select Board.  
204 Ms. Luttrell stated that amending the charge of the PWPB might be an effective way to clarify their role.  
205 Mr. Stein stated he would like to hear from Town Moderator Cimino on the matter. Ms. Hoolahan  
206 stated she is supportive of this citizen's petition. Ms. DeMuria stated she is supportive of the citizen's  
207 petition and supports the addition of a member from the Board of Health on the PWPB.  
208

209 **Other Business Properly Before the Board**

- 210 • Planner's Report – Project Updates; DELL Residential Property; Zoning Map update, FY24 Budget  
211 Update, remote meeting update

212 Ms. Quinn reported that the Planning Board will meet with the Select Board at its meeting  
213 tomorrow night to discuss the Planning Board warrant articles and the St. Mark's Street  
214 MOU/relocation/park/trees and stonewall removal. Ms. Luttrell, Mr. Stein, Ms. Hoolahan and Ms.  
215 DeMuria will attend on behalf of the Planning Board. Ms. Quinn asked that the Planning Board  
216 provide comments to Ms. Stansfield on the draft Zoning Map. Ms. Quinn reported that Town  
217 Administrator Mark Purple had emailed her stating that state representatives are working on the  
218 FY24 budget and are looking for earmarks to benefit Southborough that are one-time, non-  
219 operational and have a value of between \$10,000-\$75,000. She asked Planning Board members to  
220 forward ideas to Katie Barry. Ms. Quinn stated feedback from the State on the status of remote  
221 meetings would be forthcoming. She reported Ms. Hoolahan and Ms. Stansfield had attended a  
222 meeting regarding the DELL property to provide feedback and shared Ms. Hoolahan's notes with the  
223 Planning Board. Ms. Quinn stated she would remove funds for the Zoning Map, the deed research  
224 database update and the MBTA Communities work from the Planning Department's FY24 budget  
225 once she has received official confirmation those items would be funded through ARPA. Mr. Stein  
226 stated that 5 Cordaville Road has been added to the Select Board's agenda tomorrow evening for  
227 consideration for purchase, with the potential goal of adding an additional unit to the DHCD  
228 inventory for Southborough.

- 229 • Approval of Minutes – January 23, 2023, February 6, 2023

230 No minutes were approved at this time.

- 231 • Next Meetings – February 28, 2023 (Joint Meeting with Select Board), March 13, 2023, March  
232 25, 2023 (Pre-ATM)

233 **ADJOURN:**

234 **MOTION** by Mr. Mills to adjourn at 10:08PM. **SECONDED** by Mr. Stein. **ROLL CALL: Luttrell-Yes, Mills-**  
235 **Yes, Stein-Yes, Hoolahan-Yes, DeMuria-Yes. VOTE to Approve: Yes-5, No-0.**

236

237 **Documents Used at This Meeting:**

- 238 • ANR 150 Parkerville Road Application from Adam Phaneuf  
239 • St. Mark's Street Improvement Plan

240 Respectfully Submitted.

241

242 Bridgid Rubin, Recording Secretary

243