

December 2, 2014

Re: Proposed 40B

Dear Chairman Bartolini:

The Planning Board has been following the actions relative to the Chapter 40B proposed project at the industrially zoned property at Park Central. A significant amount of information has been received by your Board during the public hearing which is expected to close soon and so we feel it is appropriate to submit comments at this time.

Our concern is safety. The project proposes 180 residential units in the industrial zone adjacent to an existing residential neighborhood. Future projects could include the proposed 132 unit residential development or two 200-unit 40B developments. As currently proposed the residential traffic from the site is planned to flow onto Flagg Road which is tree-lined and narrow with curves and grades not suitable for the projected volume of traffic. Flagg Road leads west to a dangerous intersection at Route 9 and east to Lovers Lane which is even more primitive with several places so narrow that two cars cannot traverse at the same time. Further east is Deerfoot Road and the Town's largest school zone. Depending on final approval, traffic could also flow through Bantry, Tara and Blackthorn Roads which have steep grades exceeding 10%.

Without significant roadway safety "upgrades" including removal of mature trees and destruction or alteration of historic stone walls, the increase in traffic volume will produce an unacceptable level of risk to existing residential neighborhoods. This unsafe condition will directly impact more than 130 homes over 2 miles of existing neighborhood roads none of which have sidewalks and will extend more than a mile from the project site.

The Town of Southborough has an outstanding record of approving 40B projects. They range from single units to over 150 units in size and are located throughout the Town. No project, industrial, commercial, residential or 40B has ever been approved in this Town that would have such a significant impact on safety.

The Planning Board respectfully requests that you deny this project.

Sincerely,

Donald C. Morris, Planning Board Chairman  
Submitted on behalf of the Planning Board

Cc. Town Counsel

December 2, 2014

Re: Use Variance Procedure

Dear Chairman Bartolini:

The Planning Board has concerns relative to the discussion of a use variance for the industrial zoned land at Park Central which is an agenda item on the Zoning Board of Appeals (ZBA) December 3, 2014 meeting.

The Planning Board acknowledges that the ZBA has the authority to grant use variances pursuant to Chapter 174-25 of the Southborough Zoning Code however in this case we question if it is appropriate to include discussion of a use variance on land being reviewed under the Chapter 40B process. Furthermore, the Planning Board is concerned that the circumstances of soil conditions, topography, and related substantial hardship are absent from this site.

If the discussion of a use variance is deemed to be appropriate and one is granted, the Planning Board understands that the ZBA may impose conditions, but those conditions must not go beyond the authority of the ZBA especially in regard to residential subdivision of land and site plan which fall under the authority of the Planning Board.

These matters are complex and sensitive. The neighbors and the proponent have legal counsel. We respectfully recommend engaging Town Counsel immediately to represent the Town and guide the ZBA, Planning Board and other town officials through this process.

The Planning Board looks forward to working with the ZBA in doing what is best for Southborough. This may include the development of a master plan of the entire site which would include broader participation of Town Boards and Committees and the public.

Sincerely,

Donald C. Morris, Planning Board Chairman  
Submitted on behalf of the Planning Board

Cc. Town Counsel