

Bay Colony Group, Inc.

Professional Civil Engineers & Land Surveyors

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January 14, 2019

Mr. Kevin Weinfeld, Chairman
Foxborough Planning Board
40 South Street
Foxborough, MA 02035

RE: "River Ridge" Open Space Residential Development Plan

Dear Mr. Weinfeld,

On behalf of my client, TH Belcher Fox, LLC I am submitting herewith a special permit/definitive plan modification in accordance with Section 3.02 DEFINITIVE PLANS of the Foxborough Subdivision Regulations and Section 8.3 OPEN SPACE RESIDENTIAL DEVELOPMENT of the Foxborough Zoning Bylaws. Enclosed please find: 7 copies of the definitive plan, a Special Permit Application, Designers Certificate Form E, a certified list of abutters, and a check made out to the Town of Foxborough in the amount of \$4,100 based on the Town fee of \$300 plus \$200 for each lot for definitive plan subdivision plan modifications. We understand that we are responsible for the cost of legal advertising.

The River Ridge project was approved by the Board on June 19, 2018 as a 19 lot conventional subdivision containing about 2,333 lf of roadway on three streets. Subsequent to that approval the owner has decided that an OSRD would be an appropriate design for the project. Therefore, the definitive plan was modified to comply with the requirements of Section 8.3 of the bylaws. The project will still consist of 19 single family homes, but the lot sizes will be decreased to as little as 20,000 sf and the number of roadways will be reduced to two that will contain about 1,542 lf of roadway – a reduction of about 34%. Souza Avenue and Barros Lane will be retained, though the length of Souza Avenue will be reduced from 1,171' to 658', and Bemis Lane will be eliminated.

A waiver is still being requested to allow the last 200' of Barros Lane to not be built to the full roadway standard in order to accommodate the neighbors' request to not create a three way intersection at the sharp turn where East Belcher Road becomes Belcher Road. The layout will continue through to Belcher Road, but would only be grass reinforced by a geogrid matrix. The Foxborough Fire Department supported the redesign as long as the ground was reinforced so that an emergency vehicle could use that grass access if Souza Avenue or the other end of Barros Lane were blocked. Though the roadway still technically loops and is not a dead-end, we are still requesting that waiver to be fully transparent. All of the roadways contain a sidewalk on one side, which will require a waiver from the Board.

The storm water management system will not be changed and still consists of a conventional drain manhole/catch basin system that will convey runoff to 2 separate storm water basins located on the edge of Belcher Road in existing low areas. The basins have been designed to capture and infiltrate the 100-year storm

event and have emergency outflows into the two existing wetlands. Because both basins are located on corner lots, which by definition don't have rear yards, we request that the Board waive the requirement that the basins be in a rear yard. The storm water report has been modified to reflect the new condition. The cable, electric and telephone utilities will be located underground and standard Cobra-head, LED street lights will be installed at the intersection of the roadways, at the end of the cul-de-sac, and at long curves along the roadways. The water system will consist of standard 8" mains on the roadways that will loop through the site and, because of the new roadway layout, will not have a dead-end.

Under the Foxborough Zoning Bylaws an OSRD is a special permit and must meet certain approval criteria listed in Section 8.3.12. The following is a listing of the elements and how the proposed project meets the standard.

8.3.12.1. - The proposed plan is in harmony with the intent and requirements of this section and these bylaws. It is our opinion that the design meets the letter and spirit of the bylaw.

8.3.12.2 - Open space as required by this bylaw has been provided and generally conforms to the dedicated open space section of this bylaw. The total area of the site is 25.7+/- acres and the amount of dedicated open space will be provided in 2 lots that total 12.6+/- acres, which is 49% of the total open space. This is greater than the minimum requirement of 45%. The open space is adjacent to other land owned by the Town of Foxborough and/or the Foxborough Conservation Commission and is largely untouched.

8.3.12.3 - Proposed uses of the open space comply with this bylaw. The proposed use of the open space is anticipated to be passive recreation. No storm water management is proposed on the open space.

8.3.12.4 - Proposed open space will be dedicated in compliance with the Massachusetts General Laws and this bylaw and is suitably protected. The Proponent will convey the open space to the Town of Foxborough Conservation Commission.

8.3.12.5 - Approximate building sites have been identified and are not located closer than 100 feet to wetlands and waterbodies. Seventeen of the 19 building lots are located outside of the 100' buffer zone to the on-site wetlands. The other two lots have a small portion of the lot located within the buffer zone.

8.3.12.6 - Proposed streets have been aligned to provide vehicular access to each house in a reasonable and economical manner. Lots and streets have been located to avoid or minimize adverse impacts on open space areas and to provide views of and access to the open space for the lots. All lots have at least 50' of built frontage that will provide access for the homes. The open space lots will have access from the new roadways in three locations, from Belcher Road, and from the existing Town open space.

8.3.12.7 - All lots meet the applicable dimensional requirements of this Open Space Residential Development Bylaw and the Zoning Bylaws. All lots contain at least 20,000 sf of area and 50' of frontage.

8.3.12.8 - Documents creating a homeowners' association has been submitted to the Board and approved by Town Counsel. This is not applicable since the roadways, once completed, will be accepted as public ways and the open space is to be conveyed to the Foxborough Conservation Commission.

8.3.12.9 - The development will not have a detrimental impact on the neighborhood or abutting properties. The project has undergone extensive review by the Town and there have been numerous public hearings over the last 13 years. It is our opinion that the major issues raised by the neighbors, Town

staff, and Town boards and commissions have been addressed such that the project will not have a detrimental impact on the neighborhood.

8.3.12.10 - Other factors as determined appropriate by the Board. The other issue that that Board has raised had to do with the condition of Belcher Road, but the DPW has stated in writing to the Board that they will be reconstructing the roadway as early as this year.

We look forward to meeting with the Board to discuss the project. Thank you for your consideration.

Very truly yours,

BAY COLONY GROUP, INC.

A handwritten signature in blue ink, appearing to read "W. Buckley, Jr.", with a stylized flourish at the end.

William R. Buckley, Jr., P.E.
Project Manager

Encl.

**FOXBOROUGH PLANNING BOARD
SPECIAL PERMIT APPLICATION**

The undersigned hereby applies for a Special Permit under Section 8.3 of the Foxborough Zoning Bylaws.

1. **Applicant:** TH Belcher Fox LLC
Address: 195 Whiting Street, Suite 2B Hingham, MA 02043
Phone #: 781.749.1066
Email: tom@hastingscompanies.com
Signature of Applicant: _____

2. **Owner of** same
Record: _____
Signature of Owner: 

3. **Location of Parcel(s) or Structure:** 96 East Belcher Road, 112 + 114 Belcher Road, & Belcher Road

Assessors Map & Parcel # Map 123, Parcels 003, 007-001,008 **Zoning District** R40 (Partially within Primary Resource Area)
Map 136, Parcel 001

4. **Dimensional Information of the Parcel:**
Frontage: 706.85' **Square Feet:** 26.8+/- acres
Existing Lot Coverage: <1%+/- **Proposed Lot Coverage:** 8%+/-
Zoning Status of the Parcel or Structure: Existing and conforming
Proposed Building Size: Single Family Homes **Proposed Building Height:** varies

5. **Present Use of Structure or Parcel:** One single family home with accessory buildings

Proposed Use of Structure or Parcel: Open Space Residential Development of 19 homes

6. Explain how the request fulfills the Special Permit criteria (Attach a separate sheet).
7. Explain the special conditions or characteristics (if any) which apply to this request (Attach a separate sheet).

Town Collector's Release

The owner of the property for which the Special Permit is being requested is in good standing with respect to any taxes, fees, assessments, betterments or other municipal charges.


Treasurer's Office Representative

1/17/19
Date

Town Clerk Receipt

This application has been received and recorded with the Town Clerk.

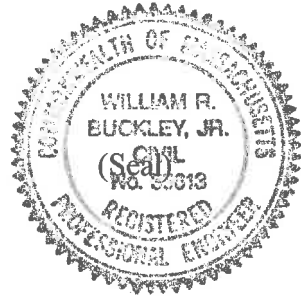
Town Clerk's Office

Date

FORM E

DESIGNER'S CERTIFICATE

I hereby certify to the best of my professional knowledge, information and belief that the accompanying plan, entitled "Open Space Residential Development Plan of Land "River Ridge"" and dated January 8, 2019, is true and correct to the accuracy required by the Foxborough Subdivision Regulations, and that all pertinent data are shown thereon.



Date: January 14, 2019

JAN 8 2019

TOWN OF FOXBOROUGH



BOARD OF ASSESSORS
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH MASSACHUSETTS 02035

(508) 543-1215

Fax: (508) 543-6278

CERTIFICATION OF ABUTTERS

PROPERTY OWNER: TH Belcher Fox LLC
MAILING ADDRESS: 534 Whitman Street Hanson, MA 02341
PROPERTY LOCATION: Belcher Rd
ASSESSORS MAP/PARCEL: 123-008-000 123-003-000
136-001-000 123-007-001
APPLICANT: Bay Colony Group PHONE: 508-543-3939
AUTHORITY REQUESTING LIST: _____
DATE SUBMITTED: 1/8/2019
LIST REQUESTED: ____500 FT ☒ 300 FT ____100FT ____ ABUTTER TO ABUTTER
=====

I, Keri Rielw Office Coordinator, acting as a custodian of assessment records, do hereby certify that the attached documents contain true and complete information from the most recent tax list of the Town of Foxborough, Massachusetts.

I further state that these documents include the names and addresses of abutters to the abutters 300ft. 123-8, 123-3, 136-1 & 123-7.1

Date: 1/9/18

BOARD OF ASSESSORS
FOXBOROUGH MASSACHUSETTS

Massachusetts General Law c. 40A, s.11, "The assessors maintaining any applicable tax list shall certify to the permit granting authority or special permit granting authority the names and addresses of parties in interest and such certification shall be conclusive for all purposes."

The Assessors Office will complete the abutters list within 7-10 business days. There is a \$25.00 fee for an abutters list.

"The applicant is solely responsible for requesting the appropriate abutters list required by the applicable Mass General Law."

Abutting Properties for
96 EAST BELCHER ROAD
FOXBOROUGH, MA
123/003
(300 feet)
01/08/2019

Location:
108/ / 005/000 000/000
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
108/006
BELCHER ROAD
Owner:
TOWN OF FOXBOROUGH
40 SOUTH ST
FOXBORO, MA 02035

Location:
122/002
77 EAST BELCHER ROAD
Owner:
DEGIROLAMO PETER M JR
& SUSAN
TE
145 FRUIT ST
MANSFIELD, MA 02048

Location:
123/001
82 EAST BELCHER ROAD
Owner:
KENNEWAY BETHANY JO
FONGER TR
8 VINAL AVE
SCITUATE, MA 02066

Location:
123/002
92 EAST BELCHER ROAD
Owner:
HANNON MARK M & TANYA
V TE
92 EAST BELCHER ROAD
FOXBOROUGH, MA 02035

Location:
123/ 010
85 EAST BELCHER ROAD
Owner:
MEDIAONE OF OHIO INC
C/O PROPERTY TAX DEPT
ONE COMCAST CENTER
32ND FLOOR
PHILADELPHIA, PA 19103-
2838

Location:
122/004
69 EAST BELCHER ROAD
Owner:
RED MAPLE MANAGEMENT
LIMITED
PARTNERSHIP
215 DEDHAM STREET
CANTON, MA 02021

Location:
122/003
73 EAST BELCHER ROAD
Owner:
MAHONEY FRANCIS TR
73 EAST BELCHER RD
FOXBORO, MA 02035

Location:
123/006
108 BELCHER ROAD
Owner:
CIL REALTY OF
MASSACHUSETTS INC
157 CHARTER OAK AVE
3RD FLR
HARTFORD, CT 06106

Location:
123/009
BELCHER ROAD
Owner:
SHRINERS HOSPITAL FOR
CHILDREN
2900 ROCKY POINT DRIVE
TAMPA, FL 33607

Abutting Properties for
112 BELCHER ROAD
FOXBOROUGH, MA 02035
123/008
(300 feet)
1/8/2019

Location:
136/039
SPRING STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
123/010
85 EAST BELCHER ROAD
Owner:
MEDIAONE OF OHIO INC
C/O PROPERTY TAX DEPT
ONE COMCAST CENTER
32ND FLOOR
PHILADELPHIA, PA 19103-
2838

Location:
136/037
115 EAST BELCHER ROAD
Owner:
VANDENBERGHE LANCE R
&
VICTORIA N
115 BELCHER RD
FOXBORO, MA 02035

Location:
136/002
116 BELCHER ROAD
Owner:
DANGELO PETER & LINDA
TE
116 BELCHER RD
FOXBORO, MA 02035

Location:
123/006
108 BELCHER ROAD
Owner:
CIL REALTY OF
MASSACHUSETTS INC
157 CHARTER OAK AVE
3RD FLR
HARTFORD, CT 06106

Location:
123/007
191 COCASSET ST
Owner:
TH BELCHER FOX LLC
195 WHITING STREET
SUITE B
HINGHAM, MA 02043

Location:
136/001
114 BELCHER ROAD
Owner:
BELCHER FOX LLC
534 WHITMAN STREET
HANSON, MA 02341

Location:
123/009
BELCHER ROAD
Owner:
SHRINERS HOSPITAL FOR
CHILDREN
2900 ROCKY POINT DRIVE
TAMPA, FL 33607

Abutting Properties for
114 BELCHER ROAD
FOXBOROUGH, MA
02035
136/001
(300 feet)
1/8/2019

Location:
136/039
SPRING STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
136/003
BELCHER ROAD
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
136/037
115 EAST BELCHER ROAD
Owner:
VANDENBERGHE LANCE R
&
VICTORIA N
115 BELCHER RD
FOXBORO, MA 02035

Location:
136/035
117 EAST BELCHER ROAD
Owner:
VANDENBERGHE KARL A &
ELIZABETH
M
117 E BELCHER RD
FOXBORO, MA 02035

Location:
136/002
116 BELCHER ROAD
Owner:
DANGELO PETER & LINDA
TE
116 BELCHER RD
FOXBORO, MA 02035

Location:
123/006
108 BELCHER ROAD
Owner:
CIL REALTY OF
MASSACHUSETTS INC
157 CHARTER OAK AVE
3RD FLR
HARTFORD, CT 06106

Location:
123/008
112 BELCHER ROAD
Owner:
BELCHER FOX LLC
534 WHITMAN STREET
HANSON, MA 02341

Location:
123/007
191 COCASSET ST
Owner:
TH BELCHER FOX LLC 195
195 WHITING STREET
SUITE B
HINGHAM, MA 02043

Location:
136/038
117 EAST BELCHER ROAD
Owner:
VANDENBERGHE KARL A &
ELIZABETH M TE
117 EAST BELCHER RD
FOXBORO, MA 02035

Location:
123/009
BELCHER ROAD
Owner:
SHRINERS HOSPITAL FOR
CHILDREN
2900 ROCKY POINT DRIVE
TAMPA, FL 33607

Abutting Properties
BELCHER ROAD
FOXBOROUGH, MA
123-007-001
(300 FT)
1/9/2018

Location:
082/002
COCASSET STREET
Owner:
DAVIS RICHARD M TRUSTEE
186 COCASSET STREET
FOXBOROUGH, MA 02035

Location:
109-001
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
095-014
195 COCASSET STREET
Owner:
CARDIN JUNE E
195 COCASSET STREET
FOXBOROUGH, MA 02035

Location:
095/002
196 COCASSET STREET
Owner:
GOULET MARJORIE D
196 COCASSET ST
FOXBOROUGH, MA 02035

Location:
095/013
207 COCASSET STREET
Owner:
KUN-KURT GUNHILD K
C/O DR GUNHILD KURT
IM FRANKFURTER GRUND
12
OFFENBACH GERMANY, 00
63073

Location:
109/002
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
095/012
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
CONSERVATION
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
110-072
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
110-073
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
110-071
10 COCASSET STREET
Owner:
KIRBY EUGENE E
10 COCASSET STREET
FOXBOROUGH, MA 02035

Location:
110-075
MORSE STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
124-025
MORSE STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
124-028
MORSE STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
108-005
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
123/007
191 COCASSET ST
Owner:
TH BELCHER FOX LLC
195 WHITING STREET
SUITE B
HINGHAM, MA 02043

Location:
110-074
COCASSET STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
110-076
MORSE STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Location:
124-027
MORSE STREET
Owner:
TOWN OF FOXBOROUGH
40 SOUTH STREET
FOXBOROUGH, MA 02035

Abutting Properties
BELCHER ROAD
FOXBOROUGH, MA
123-007-001
(300 FT)
1/9/2018
