



TOWN OF WEST BOYLSTON PLANNING BOARD planningboard@westboylston-ma.gov
140 Worcester Street ** West Boylston MA 01583 ** Phone 774-261-4073

MEETING MINUTES

April 13, 2022

Members Present: Paul Anderson (Chair), Marc Frieden, Barur Rajeshkumar, Vincent Vignaly, Sarah Miles

Members Absent: None

Others Present: See Attached Sign-In Sheet

All documents referenced in these Minutes are stored and available for public inspection in the Planning Board Office located at 140 Worcester Street.

The Chair opened the meeting at 7:00 p.m.

Citizens' Comments – David Femia said the Selectboard will invite the board to attend the meeting regarding the MBTA communities where the CMRPC will give the presentation.

Old Business:

Nuha Circle Request for Street Acceptance Update – Mr. Ali requested this be discussed at the next meeting. Mr. Anderson said the Selectboard is looking for an update. The last time the board met with Mr. Ali, his attorney was with present. The board does not believe the bond is enough to cover the cost of any remaining issues; the last bond estimate was done over two years ago. There was discussion of sending a letter to the bond company to encourage Mr. Ali to complete the work. Ms. Miles said when the board agreed to reduce the bond, most of the current issues were not there at that time. The latest email (3/2/2022) from the DPW Director noted the following: deficiencies in the roadway, sidewalk, and drainage infrastructure including, but not limited to: roadway cracking, portions of sidewalk are not ADA compliant (cross slope, tactile strips, driveway aprons), one catch basin requires bricks and mortar to support frame and cover, CB/DMH showing signs of leaching as inlets and outlets are not sealed.

Please note that DPW staff did not inspect all of the roadway drainage infrastructure. The applicant should inspect all structures and repair any and all deficiencies.

Mr. Anderson said it is Mr. Ali's responsibility to fix it. Ms. Miles agreed that it needs to be resolved but was not sure what the best move was. The solution has to be acceptable to the town. Dave Femia suggested the DPW Director get an estimate and was told VHB does the inspections. VHB is currently reviewing their records to see what they have certified. One problem was that Mr. Ali was late contacting VHB for an inspection. Mr. Rajeshkumar commented that Mr. Ali should not be receiving any Certificates of Occupancy. Mr. Vignaly said that would be hard to do since people are already in the houses. Mr. Ali has gone beyond the time limit. It was also noted that among other issues, there has been no resolution on the HOA for Lots 1 & 2. Mr. Anderson will draft a letter to the Selectboard with the board's concerns that there is not enough bond money to complete the work.

New Business/Review of Correspondence/Emails:

Century Drive – Informal discussion with James Ricciardi who plans to complete construction of the remaining portion of Century Drive in connection with the purchase and development of Lot 54 – Jimmy Ricciardi and Gary DeWolf, along with John Grenier (Engineer) were in attendance. They are purchasing Lot 54 on Century Drive to construct and complete the road so they can develop the lot. The way the covenant is written, the lot cannot be conveyed to them until the road is completed. To receive a partial release of the covenant to allow the transfer the Lot 54, the Planning Board will require a performance or tri-party agreement. The road must be completed before any occupancy permits can be issued, but they request the ability to perform at least preliminary site work on Lot 54 at the same time the road work is going in.

Attorney Todd Rodman (Seder & Chandler, LLC) was present on behalf of St. Pierre (owners of the lot). He had copies of documents showing the town has accepted all of the built portions of the roadway with the exception of Lot 54. He showed the gap which is the unbuilt portion in front of Lot 54. The bond amount needs to be assessed and put in place so they can get a partial release from the covenant to sell the lot. The length of the vacant lot is 580-feet. Attorney Rodman provided a plan with two easements. They are asking to establish a bond amount and get partial release of the covenant for Lot 54 to sell it. Mr. Vignaly told them to send the board a document asking for what they plan to do. The costs were explained to Mr. Ricciardi. He will forward funds for the 53G account and send the documents to VHB at the same time they are submitted to the board. Attorney Rodman was told to submit any document for the board to sign a week prior to the meeting so it could possibly be voted on it at the next meeting. Mr. Frieden had a concern about drainage. Mr. Vignaly said the drainage for the road was built into what is there. The site development will require drainage/stormwater treatment.

Unrelated to Lot 54, Attorney Rodman told the board that they will be submitting a subdivision Covenant Release Request for Lot 59. He will submit a request for a partial release from the covenant. Briarwood is interested in purchasing it. Access will be from Century Drive. Briarwood would have to cross over the wetlands. Mr. Vignaly said to remind Briarwood that they don't have a Certificate of Completion from their most recent project.

Building Inspector Issues for Discussion:

(1) West Boylston Seafood parking trucks behind house next door – Mr. Tignor said he was notified by the DPW that they put stone down for an entrance into the lot. He notified them that they couldn't have two driveways and gave them options to work with. There is also talk about possibly demolishing the house to combine the two lots. It will be tabled until Mr. Tignor receives more information.

(2) Proposed Drive-Up ATM in parking lot at Wachusett Plaza – Dave Femi commented that they need to go to ZBA for a special permit. Mr. Tignor wasn't sure how much traffic that would create. Mr. Tignor said the Salter School was divided in half; part for government use; part is for a tentative use which is not yet known. Mr. Vignaly said a site plan is required when there is a change of use for 15 or more parking spaces. The board would expect to see a filing if there is a change of use. A drive-thru is a change of use and will require a site plan review. School buses are parked there and not allowed which is a zoning issue. Mr. Tignor thinks that will change once the building is finished.

ANR Plan – Hugo Lima (118 Maple Street) – Mr. Tignor said it is on the DCR list that it is a protected zone. Mr. Vignaly said they show the 120-feet of frontage, but it starts at the roadway and narrows as it

goes back; it has to be at least 120-feet and 25-feet from the front yard setback; lot 2 does not have enough frontage. It is within the Watershed Protection Act. Mr. Vignaly had called and left him a message, but Mr. Lima never called back. The plan was never accepted because there was no fee and it was never signed; the board cannot act on it.

Reports from Other Boards: None tonight.

Invoices were approved for payment.

Mr. Rajeshkumar made a motion to accept the March 9, 2022 Meeting Minutes as amended; Mr. Frieden seconded; all voted in favor; motion approved. Mr. Rajeshkumar made a motion to accept the Public Hearing Minutes for 29 Prospect Street; Mr. Frieden seconded; all voted in favor; motion approved.

May 11, 2022 at 7:00 p.m. was confirmed as the next regular meeting date and time.

Mr. Rajeshkumar made a motion to adjourn; Ms. Miles seconded; all voted in favor; motion approved.

The meeting was adjourned at 8:13 p.m.

Date Accepted: _____

By: _____
Vincent P. Vignaly, Clerk

Submitted by: _____
Melanie Rich