



MEETING MINUTES
May 11, 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 – Dave Femia commented that the Bylaw Committee that reviews the General Bylaws last met in 2019. He would like to see the Planning Board review the Zoning Bylaws for people to better understand the language. Mr. Vignaly said the board reviews the bylaws every 4-5 years. In 2017/18 the board ask for input from all the town boards. The only response received was from Mr. Femia about the apartment bylaw. Not being a pressing issue, the board did not move forward at that time. The letter could be re-sent again asking about future concerns. Mr. Femia wished Paul Anderson well since it was his last meeting.

Old Business:

Nuha Circle Request for Street Acceptance Update – Mr. Ali did not meet Kevin Duffy, he met Brian Pendelton from VHB who had a concern with the driveway aprons. Mr. Vignaly said it's about being ADA compliant. The sidewalk has to have a maximum slope of to 2%; currently it is 6% where it crosses the driveways. Mr. Ali said when they did the sidewalk they were supposed to meet the aprons. He said there were three inspections and they had an as-built plan since 2019. He said he has spent thousands of dollars on inspections and reviews and asked when does it end? Ms. Miles said when the work is done to the satisfaction of the town. Ms. Ali said someone has to say it was reviewed, had a site walk, everything was tested inspected compaction tested. Jacqueline Leonardo (7 Nuha Circle) said sidewalk issues have been going on for four years. Mr. Ali said VHB reviewed it, it was fine, and now Kevin Duffy says it is 2" off. Mr. Vignaly said the DPW needs to approve it because without that approval, the residents will not accept the road if it is not ADA compliant. Mr. Rajeshkumar said the DPW Director is the final person to approve it according to the Street Acceptance Procedure. Mr. Vignaly said the steep driveways are steep because that's where they put the foundations for the house. Mr. Ali said he has no problem fixing it. An email will be sent to the DPW and VHB telling them we met tonight and would like a final punch list of items to know exactly what we are looking for to get it completed. Mr. Rajeshkumar told Mr. Ali that it is not the Planning Board's delay or VHB's delay, it is his delay. Mr. Ali said it was completed in 2019, after that came the shed problem and the sidewalk problems, and then COVID. Ms. Miles said VHB has had complaints multiple times that he gives them last minute notice about needing inspections; he needs to give them more notice. The punch list needs to be approved by VHB, DPW, and Planning Board so

everybody agrees with what has to be done. Mr. Ali wants a final list that he can agree to. Mr. Vignaly summarized the May 6th email received from VHB.

There are still some issues with the Homeowners Association. Mr. Vignaly asked if Lots 1 and 2 are part of it. Mr. Ali left them a message and they haven't called him back. Mr. Vignaly said the board needs the paperwork completed and signed. The board needs to verify the membership and funding. Mr. Ali said there is \$1,000 in the fund. Mr. Vignaly told him to talk to an engineer to see what is expected for maintenance. Ms. Miles asked what happened to his attorney who was supposed to figure it out. Mr. Ali will have Attorney Kiritsy send all the information to the board next week. Mr. Ali agreed that the homeowners would be notified before any work is being done.

Mr. Vignaly asked the status of the fence on Westland Circle around the basin; Mr. Ali will update the board by email.

New Business/Review of Correspondence/Emails:

Century Drive Lot 59 – Request for Release of Lot 59 from Subdivision Covenant (St. Pierre) Attorney Todd Rodman, Seder & Chandler – Attorney Rodman attended on behalf of St. Pierre for a partial release of Lot 59 from the existing Subdivision Covenant. The potential buyer is Briarwood. The attorney submitted a plan showing the location of wetlands on Lot 59 as well as the partial release. Attorney Samantha McDonald (Bowditch & Dewey), representing Briarwood, said the current plan is to leave it as open space but in the future Briarwood would like to add more cottages to expand the services they offer. Ms. Miles made a motion to approve the Partial Release for Century Drive, Lot 59; Mr. Frieden seconded; all voted in favor; motion approved.

Century Drive Lot 54 – Request for Release of Lot 54 Subdivision Covenant and consider bond (Ricciardi) Birdland Hill development – Attorney Richard Riker was in attendance. He said Lot 54 is the last lot that will be transferred. The plan is to finish the roadway; Ricciardi Bros submitted the cost estimate that VHB will review; the bond amount is needed. The board at the last meeting asked the engineer, John Grenier, to do comparisons from when it was originally formed and today's regulations and standards; there are no appreciable changes. The paving is a different configuration compared to the town's standards. What Mr. Ricciardi proposes is substantially in accordance with the town's standards. Mr. Ricciardi said the town has its own bylaws; the standards on Century Drive are different. The town requires 3" of pavement; he is proposing 3.5"-4" in lieu of the 5" on the approved Century Drive plan. He is also proposing to use modified top course (a mix of asphalt that is a heavier duty asphalt that doesn't move around); it is bank gravel instead of process gravel which the town calls for. Mr. Vignaly said it will be reduced by 6" and was told it would be a better gravel. Mr. Vignaly said that the town's subdivision regulations specify one thing for a typical roadway, which this is not. The plan was approved in 1990 with a beefier cross section for the pavement; Mr. Ricciardi is proposing not to use the more enhanced version and change it to something else. The board will need to check with the DPW Director and VHB to see if it is acceptable. There are no changes to the drainage or stormwater standards. Attorney Riker said we need to settle on the spec for the pavement and the finalization for the road. #6 of the Covenant allows the board to authorize the transfer of the remaining lot subject to the Covenant. Mr. Vignaly wants to know if the lot includes the roadway. Attorney Riker said they will work on it.

Review Town Meeting Warrant Articles for recommendations where appropriate – No articles require action by the Planning Board for the town meeting.

Reports from Other Boards: Ms. Miles said Economic Development met. They suggested the Selectboard change the rules about the gateway signs which were supposed to be changed and charged every three months; that hasn't happened. The suggestion is to do it yearly with an increased fee. Mr. Rajeshkumar said because it is a General Bylaw and there is a fee change, a public hearing needs to be held. Mr. Anderson said neither the Marijuana Subcommittee or the Transportation Committee have met due to not having quorums.

Invoices were approved for payment. Ms. Miles made a motion to accept the April 13, 2022 Meeting Minutes; Mr. Frieden seconded; all voted in favor; motion approved.

June 8, 2022 at 7:00 p.m. was confirmed as the next regular meeting date and time. It will be a Zoom meeting.

The board thanked Mr. Anderson for his five years on the board. Mr. Rajeshkumar announced that the Town Meeting will be held on Monday, May 16th at 7:00 p.m. at the Middle/High school; a quorum of 100 registered voters is needed; masks are optional. Elections will be held on Tuesday, June 7th from noon to 8:00 p.m.

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

The meeting was adjourned at 8:40 p.m.

Date Accepted: _____

By: _____
Vincent P. Vignaly, Clerk

Submitted by: _____
Melanie Rich