



ZOOM MEETING MINUTES

March 8, 2023

Members Present: Sarah Miles (Chair), Marc Frieden, Vincent Vignaly, Barur Rajeshkumar, Francesco Lopriore

Members Absent: None

Others Present: Wayne Amico (VHB), Kevin Duffy (WB DPW), Jaurice Schwartz (Weston & Sampson), Paul Lenkarski, Attorney Russell Chernin

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 Zoom meeting at 7:00 p.m. Members Present: Vincent Vignaly, Barur Rajeshkumar, Marc Frieden, Francesco Lopriore, Sarah Miles.

Citizens' Comments – None tonight.

New Business:

Site Plan Review Application – Century Drive (proposed construction of 9 industrial buildings on 4 lots) – Accept Application and Set Public Hearing Date – Jimmy Ricciardi was present. The Application Fee was received; the Professional Review Fee is \$19,400. Mr. Vignaly suggested to the board that based on the fact that Mr. Ricciardi has made timely payments with road construction, to consider a fee of \$6,000; the members had no issues. Mr. Rajeshkumar said the Earth Removal Board received an application and asked if they had their own requirements or was it part of the Planning Board. Mr. Vignaly said generally there are specific standards in the Earth Removal Bylaw that need to be followed. Most of the items are similar and will be reviewed by the Planning Board, but there is dust control, separation to groundwater, interim grading plans, and truck traffic routing requirements specific to Earth Removal. Mr. Rajeshkumar said either Conservation or Planning will comment on the stormwater aspects of it. He asked whether Earth Removal or Site Plan Review should be completed first. Mr. Vignaly said it is the applicant's choice, but usually they come to the PB first and then follow up with the Earth Removal Board after they see if there are any significant changes. The public hearing was scheduled for May 10, 2023 at 7:05 p.m. Mr. Vignaly made a motion to reduce the Professional Review Fee from \$19,400 to 6,000; Mr. Frieden seconded; roll call vote: Frieden-yes; Vignaly-yes; Rajeshkumar-yes; Lopriore-yes; Miles-yes; motion approved.

Mr. Ricciardi asked if they could bring the water and sewer lines into the proposed lots and pave the road and entrances all at once to be more financially responsible since they are putting in the road. He would also like to clear trees and use the fill. Mr. Vignaly said it seemed reasonable but he would be doing it at risk and should keep VHB informed. Mr. Amico hasn't yet seen a conceptual plan and not sure how the access drive is configured, but agreed it seemed reasonable. Mr. Ricciardi understood that he would be doing it at his own risk. Mr. Duffy noted his concerns would be what the material is and is it suitable for how it's being used. Mr. Ricciardi said no material would be used on the road; it will be used on the slopes for grading purposes only. Mr. Frieden said he should look at the drainage. Mr.

Amico said the entire site was designed with a comprehensive drainage system to handle the stormwater volumes for the entire site. Mr. Ricciardi said part of the submission includes upgrades to stormwater treatment for water quality; he feels they are sufficient with the drainage. Mr. Rajeshkumar suggested they have his engineer work with Mr. Amico. Currently VHB has a four-week turnaround time.

Old Business:

Stormwater Bylaw Discussion – Kevin Duffy and Jaurice Schwartz (Weston & Sampson) continue to work on the MS4 Permit to make it more precise. Mr. Vignaly said there was a lot to it and some changes were definitely needed to be aligned with the permitting requirements. He will try to complete his review and send comments to Mr. Duffy hopefully this weekend. Mr. Frieden asked if it would be brought to the May Town Meeting. Mr. Duffy said more than likely it will be ready for the October Town Meeting.

Schedule Public Hearing Date for Zoning Changes – The public hearing was scheduled for April 12, 2023 at 7:10 p.m.

Review Annual Report – Mr. Frieden will complete the report and send it in as soon as possible.

20 Holt Street Project Update – Ms. Miles acknowledged receipt of a letter from Mr. Lenkarski's attorney, Russell Chernin, and wanted the board to set a date for another meeting because it was not productive to discuss the project at this time. She asked the board if they would authorize her, another Board member, and/or the Town Administrator or Town Counsel to speak with Mr. Lenkarski and/or his attorney. Attorney Chernin had no objection to talking to Mr. Lenkarski directly. A vote was needed to do that outside a regular meeting. Mr. Rajeshkumar made a motion to give authorization for Ms. Miles, Mr. Vignaly and/or the Town Administrator and Town Counsel to work with Mr. Lenkarski and/or his attorney; Mr. Vignaly seconded; roll call vote: Lopriore-yes; Frieden-yes; Vignaly-yes; Rajeshkumar-yes; Miles-yes; motion approved.

Mr. Rajeshkumar does not want to keep receiving multiple emails because it is difficult and confusing to work with. He would like everything incorporated into one email with supporting documentation provided. A Special Meeting was scheduled for Wednesday, March 22, 2023 at 7:00 p.m. Ms. Miles said materials are needed by Friday, March 17th. Attorney Chernin said the only documents they need would be coming from town departments. He didn't know what is missing. Mr. Vignaly explained that he would like to see a list of what was changed from the Approved Plans or was not reviewed before the board discusses it. Ms. Miles said the board needs what was approved, what is different, and the board then decides whether to accept those changes. The DPW and Fire Chief issues may have been approved by their predecessor, but it needs to be documented. The board needs a list of the changes. Mr. Lenkarski said VHB provided a list and he has been working off that list. Ms. Miles said we've spent a lot of time over the last several months about whether the board's condition of approval stating that we can limit the number of Temporary Occupancy Permits; Town Counsel determined that we can. We are going to assist with getting that addressed, along with the approval and engineered list about the discrepancies and what has been constructed. She will be in touch with Mr. Lenkarski and work with Mr. Vignaly and the Town Administrator to hopefully bring it to a resolution. Mr. Rajeshkumar said it's not the Town's intention to hold anything; the goal of the Planning Board is to get it completed. Mr. Vignaly said all the work has to be completed before he would issue a recommendation.

Reports from Other Boards: None tonight.

Invoices were approved for payment. There were not enough funds to pay the 20 Holt Street VHB invoice. Mr. Lopriore will email Mr. Lenkarski and request \$2,000 be deposited into his review fee account.

Mr. Frieden made a motion to approve the February 8, 2023 Regular Meeting Minutes and Public Hearing Minutes for 73 West Boylston Street; Mr. Vignaly seconded; roll call vote: Rajeshkumar-yes; Lopriore-yes; Vignaly-yes; Frieden-yes; Miles-yes; motion approved.

April 12, 2023 at 7:00 p.m. via Zoom was confirmed as the next regular meeting date and time.

Mr. Frieden made a motion to adjourn; Mr. Lopriore seconded; roll call vote: Rajeshkumar-yes; Lopriore-yes; Vignaly-yes; Frieden-yes; Miles-yes; motion approved.

The meeting was adjourned at 8:00 p.m.

Date Accepted: _____

By: _____
Marc Frieden, Clerk

Submitted by: _____
Melanie Rich