



MEETING MINUTES
June 14, 2023

Members Present: Barur Rajeshkumar, Marc Frieden, Vincent Vignaly, Francesco Lopriore, Kevin LaClaire

Members Absent: None

Others Present: Linette Roche, Iqbal Ali, Julie Sullivan, Andrew Beardsley, Dan Santimaw, David Sadowski, Nicholas Markopolas, George Tignor (Building Inspector)

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

Mr. Vignaly opened the meeting at 7:00 p.m. Kevin LaClaire was welcomed as the new member to the board.

Citizens' Comments – None tonight.

New Business:

275 Woodland Street, West Boylston/659 Shrewsbury Street, Holden (Kadoodles) – Linette Roche – to discuss 5/12/2021 Site Plan Review Approval and Stormwater Management Approval – Linette Roche was present. Mr. Vignaly explained that the Board issues a Site Plan Approval, building was taking place, but no one has contacted the Planning Board for their engineer to do inspections. The permit they received called for a pre-construction meeting which was supposed to take place before any work began. Ms. Roche said she never received any paperwork; the engineer was Whitman & Bingham. Mr. Vignaly said we need to get our engineer on the project. He asked if it was a single family house that will be used for daycare. Ms. Roche said it will not because it's too costly to sprinkle the house for daycare use; it will be a single family house.

Mr. Vignaly said she can send a letter to the board asking that they rescind the approval for the daycare and they can proceed with the Building Inspector for a single family house. Ms. Roche said the parking lot will be repaved because they replaced a sewage pipe which connects to West Boylston. The existing daycare building is in Holden; and she said it is one lot; it will have its own address; the lot will have to be subdivided. Mr. Vignaly noted that an 81P plan will be required. It will have its own entrance and separate access in West Boylston. Ms. Roche said the town line goes through the driveway. Mr. Vignaly said if it's not a daycare, it's a by right use for a single family house; she will not be altering more than 15 parking spaces, so a Site Plan Review is not needed. She will need 120 feet of frontage on the road for the separate house lot and the lot will have to access and be served by everything individually unless they get an easement through the other lot. Mr. Vignaly said we will keep the Site Plan Approval on record. Ms. Roche needs to talk with an engineer or surveyor to see how to make it all work because she is juggling a lot between two different towns which makes it difficult. She said the neighbor's driveway is on her property and there is a house in front. The board would be looking to have it divided to get a single family house lot there; they would have to come

back to the board with a plan; two businesses can operate on the same lot, but you can't have two habitable dwellings on one lot.

The Building Inspector said originally the project was started as approved by the Planning Board. Ms. Roches came back and decided not to do that and only wanted to do a single family house; he issued a building permit. Ms. Roche came back again and decided to continue the project as a business. He told her she would have to come back to the Planning Board because of inspections that would be needed. He put a Stop Work Order on the project. Ms. Roche came back again and wanted to go in the direction of having a daycare in a home which allows ten children. Mr. Vignaly said if they are going to change the parking that was noted in the Site Plan Review, they will need to do the drainage; and it will still need the town's engineer to review it for SPR.

Nuha Circle – Update from field walk on June 1, 2023 – Mr. Ali was present. He said by the next meeting he should be finished with Nuha Circle with the exception of cleaning the catch basin, detention pond, and street. Mr. Rajeshkumar said he attended the site walk on June 1st along with the Town Administrator, DPW and VHB. There were issues with the apron which have since been fixed; the minor cracks in the road will be fixed; paving will be done tomorrow. Mr. Frieden asked about the HOA and whether it involves the first two houses. Mr. Ali said they don't want to be involved. Mr. Ali said he has to transfer it to the new trustees.

6 Nuha Circle – Vanessa Kuzmanovski – to discuss road conditions – Ms. Kuzmanovski was not present but was sent a copy of the meeting agenda.

Julie Sullivan – MWRA Email – sign and return Chapter 91 license for the removal of the Quinapoxet Dam – Julie Sullivan, Project Manager in Environmental Permitting with the MWRA attended to answer any questions the board might have. Mr. Vignaly said they are removing the dam at the rail trail. Ms. Sullivan said it's a smaller dam that was created to hold sediment, not water. It's old and deteriorating and should it fail, the sediment will be released into the Wachusett Reservoir which would contaminate the drinking water. They would also like to restore fish passage; it has ecological benefits as well as public safety benefits. Mr. Frieden asked if it affected the power generation plant next to it; Ms. Sullivan said it did not. He said when it is released the flow will change in river and asked about the levels. Ms. Sullivan said they will be doing some channel restoration upstream and downstream so it should accommodate the capacity of what the dam was holding back; there shouldn't be any major changes in the flow. Dave Femia asked what it had to do with the Planning Board and was told Chapter 91 requires a sign-off of notification from the Planning Board. The board asked her to attend so people could better understand what's going on at the dam near the Rail Trail. Mr. Femia asked when it would be done. Ms. Sullivan said they hope to start in the fall; it may take months to do; they have to work with the peak water use season.

ZBA Information Request (Administrative Appeal for 57 Goodale Street) – A draft letter was prepared supporting the Building Inspector's decision. Mr. Frieden made a motion to forward the letter regarding 57 Goodale Street to the ZBA; Mr. Lopriore seconded; voted 4-0-1 (LaClaire abstained).

The board signed the Registry of Deeds Appointments/Terms; it will be sent to the Worcester Registry of Deeds.

Vote and Sign Authorized Signatures form for FY24 – Mr. Frieden made motion that any one board member is authorized to sign invoices/payroll; Mr. Rajeshkumar seconded; all voted in favor; motion approved.

Informal Discussions:

5, 9, & 19 Crescent Street – Andrew Beardsley – informal discussion about constructing a 22-unit duplex community in the business and residential zones – Andrew Beardsley and Dan Santimaw were present. Mr. Beardsley said they purchased the Wexford House (9 Crescent Street) and doctor’s office . He had a proposal that was in the very early stages and was looking for input and direction on what can be done. Previously he had proposed a 40B but it never transpired because of the economy at that time. There are some wetlands; the Wexford House and doctor’s office are not worth saving. Mr. Beardsley thought it was a good place to keep residential; it will be done for profit. When he purchased the property he believes there was a different designation of zoning. Mr. Vignaly didn’t think the 81P plan is correct even though he signed it originally. Mr. Vignaly explained that they review 81P plans for frontage and access, but don’t look strongly at the zoning; they rely on the stamp and certification of the surveyor. Mr. Santimaw didn’t know where to start. He did have an engineer look at it and what he showed was consistent with what is on the town’s zoning map. Mr. Frieden thought that was the issue with 40B before; there was a question of how many units you could have based on how much property was in the Single Residence District and how much was in General Residence District, and the wetlands. Mr. Vignaly said the zoning line is still the same but at the May 2023 town meeting, the town voted to no longer allow the more restrictive use to extend 30-feet into the less restrictive use area; you can no longer put a multi-family unit into a Single Residence District. Mr. Vignaly said you also don’t want backing out onto Crescent Street. Mr. Santimaw said there are currently five properties that back out on Crescent Street now. Mr. Beardsley does want to try and keep the residential feel. He said the Wexford is a business and in West Boylston you can’t park in front of the business. He is trying to make it appealing from Crescent Street and not a boxy ugly development. A variance would require a hardship of the lot; a zoning change could be possible, but is a process. Mr. Frieden said if Mr. Santimaw could do some Affordable units it would be good for the town. They could possibly go before the Select Board for a Local Initiative Program for the housing. The units would be for sale, not rental. Mr. Santimaw thought the location would be a good fit; he would like residential; he didn’t think more traffic is needed on that street. Mr. Vignaly said there are wetlands, he needs space for drainage, they will also be taking down the existing house on the corner of Prospect and Crescent Streets. Items for Mr. Santimaw to consider were drainage, traffic, lighting, signs. Mr. Vignaly said there is a cluster development bylaw he could look at that would allow him to have multiple dwellings per lot; there is also an inclusionary zoning bylaw that encourages affordable housing. Mr. Santimaw would like to keep the dialog open for any other questions or thoughts the board might have.

543 Prospect Street – David Sadowski – informal discussion about placement of 14 storage units – David Sadowski (DJ & Associates) and Nicholas Markopolas were present. The location is the Pinecroft Dairy. They would like to put in some pads for the garages, 22x25; they would all be independent; there will be 14. They have been to the Conservation Commission; they have grading, siltation fencing, groundwater recharge, a trench drain and other things. There will be a 6-foot change in elevation from front to back. Four of the pads will be on the existing pavement; the next three will be 2-foot; four across; the rest of the natural area will not be touched. At the Conservation meeting there were concerns from the abutters because the fence is 6-feet high and the garage units will be 12-foot high. The only wetlands were on the right hand side; they are 100-feet away.

Mr. Markopolas said storage would be more for classic cars, boats, motorcycles. There is no sewer or water going to them; there may be electricity. The Building Inspector said it is a Single Residence District and the use is not allowed. They could try for a variance but it is a hardship. Mr. Sadowski asked if they could get a special permit and was told no. Mr. Markopolas asked what could he do there. Mr. Vignaly said he vaguely remembers that whole corner used to be a farm. The barn and building were kept with the back property and they sold off the frontage lots where the houses are now on Woodland Street and the one on Prospect Street; it was all one development. Mr. Vignaly said if they could get a variance, they would still need a site plan review, but doesn't want them to go through the site plan review first with drainage calculations, site design, grading, lighting, etc. Mr. Markopolas said that work was already done. Mr. Vignaly said that currently they don't have an allowed use. He could put up a garage; but it cannot be for profit. He could apply for a zoning change for his property but it would need town meeting approval, and could not be "spot zoning".

Reorganize the Board and Committee Selection – Mr. Frieden made a motion which was seconded by Mr. Lopriore to elect a slate of officers as follows: Chair-Barur Rajeshkumar; Vice Chair-Vincent Vignaly; Clerk-Marc Frieden; Treasurer-Frank Lopriore.

Committee Assignments are as follows:

Affordable Housing – Marc Frieden
Bylaw Committee – Barur Rajeshkumar
CMRPC – Marc Frieden
Community Preservation – Kevin LaClaire
Earth Removal – Frank Lopriore
Economic Development – Frank Lopriore
Open Space Implementation Committee – Vincent Vignaly
Town-Wide Planning – Barur Rajeshkumar
Transportation – Kevin LaClaire

Responsibility for reviewing other board minutes will be as follows: BOH – Kevin LaClaire; Conservation – Vincent Vignaly; Selectboard – Marc Frieden; ZBA – Frank Lopriore.

Reports from Other Boards: None tonight.

George Tignor, the Building Inspector, said he has been checking the marijuana grow facility on Shrewsbury Street because of odor complaints. About a year ago they had a problem with the filter but that has been repaired. Sometimes there may be a very slight smell, but not usually. On one incident the reported smell was coming from the spraying of cedar mulch on the reporter's property. This morning he went there with Mr. Rajeshkumar; there was very little odor when you open the door; inside the facility there was no smell. Mr. Tignor is keeping a log of days he goes and any smells. Some people find the smell is offensive. He said they are doing everything they've been instructed to do; he does not see anything wrong with the facility. Mr. Rajeshkumar agreed there was no smell in the building; it could possibly be when the door is open; it could also be a neighbor using it or from passing cars. Mr. Rajeshkumar said if any town residents smell odors to promptly call Mr. Tignor.

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Mr. Rajeshkumar assumed the role of Chair.

Invoices were approved for payment.

Mr. Vignaly made a motion to accept the draft May 10, 2023 Meeting Minutes; Mr. Frieden seconded; all voted in favor; motion approved.

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

Mr. Frieden made a motion to adjourn; Mr. Lopriore seconded; all voted in favor; motion approved.

The meeting was adjourned at 9:07 p.m.

Date Accepted: _____

By: _____

Marc Frieden, Clerk

Submitted by: _____

Melanie Rich