



## **MEETING MINUTES**

### **February 9, 2022**

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

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 7:01 p.m.

Citizens' Comments – None tonight.

The regular meeting resumed at 7:20 p.m. following the public hearing for 73 West Boylston Street.

Westland Circle, Subdivision Construction Status – Mr. Ali said no work had been done due to snow cover; it will resume when weather permits. He sent an email to the Selectboard to be on their agenda and is waiting for Kevin Duffy (DPW) to talk to the Selectboard about the sewer. Mr. Rajeshkumar said residents came to the last meeting with a major complaint about on-time snow removal and their concern for the safety of the children. Mr. Ali said it is contracted out but that he also checks it and plows. He agreed it does need to be taken care of better. Mr. Vignaly said the board received an email regarding the sewer system acceptance by the town. The recommendation from the DPW Director was for the town to accept it as part of the subdivision. It still must go to the Selectboard as the Sewer Commissioners to act on it. Ms. Miles asked the status of the Homeowners Association. Mr. Ali said he will talk to the neighbors and see how they want to deal with the drainage portion. Attorney Kiritsy said he will review the legal issues.

Maura Agnelli (33 Westland Circle) said snow removal had improved some, but salting is an issue. As far as the sewers, she would like to know how much longer it will take because without the sewer acceptance, she does not want to be part of an HOA that was never disclosed to them when they purchased their home. She commented that they keep coming to meetings and it keeps getting continued. Mr. Anderson did say there had been some progress. Mr. Vignaly said as of last month, the DPW Director inspected it, reviewed the records, and talked to Weston & Sampson who did the review and inspections; he recommended to the Selectboard to accept the sewers that are in the street if and when we accept the road. William Pietro (35 Westland Circle) asked if there was a specific person on the board that was supposed make sure the HOA was set up before building started. Who is responsible and why it wasn't set up? Mr. Vignaly said it is the responsibility of the Planning Board to watch over some things, but it is also the responsibility of the Building Inspector. There was a condition in the subdivision approval that specifically said that there will be no building permits issued on the project until the HOA documentation was established. Mr. Anderson said the board is in the process of talking with the Building Inspector to improve communications.

Nuha Circle, Road Acceptance Status (Selectboard voted to forward the Request for a Street Taking from Crescent Builders, Inc. for Nuha Circle to the Planning Board for Action) – Attorney Kiritsy said paperwork has been submitted to the Selectboard. Mr. Vignaly said the Selectboard has forwarded a request to the Planning Board for street taking. For it to be included in the Town Meeting Warrant, the Selectboard needs to post it and receive a report from the Planning Board within 45 days from February 2<sup>nd</sup>. The board has contacted VHB and Town Counsel for direction on how to proceed. Today VHB did a quick review of the documents submitted and said 60%-70% of what was submitted will meet the street acceptance standards. There are items that still need to be submitted. Mr. Ali needs to submit documentation per West Boylston Street Acceptance Procedures. The main concern of Kevin Duffy (DPW) is the cracks in the pavement. He wasn't sure if that was acceptable degradation of the pavement or if more investigation and repair is needed.

**New Business/Review of Correspondence/Emails:**

307 Lancaster Street (Bethlehem Bible Church) – Review Draft Approval and Vote – Mr. Vignaly recused himself. Scott Goddard was present. Ms. Miles made a motion to approve the Site Plan Review and Stormwater Management applications for 307 Lancaster Street; Mr. Rajeshkumar seconded; Frieden/Miles/Anderson/Rajeshkumar voted in favor; Vignaly was recused; motion approved.

215 Shrewsbury Street (Humboldt Masters SPR/Special Permit) – Consider Request for Certificate of Completion – Robert Lockhart and Andrew Kazakoff were present. Mr. Anderson said George Tignor (Building Inspector) did an inspection and found it to be in compliance. The board is recommending a Certificate of Completion; the Building Inspector issues the Certificate of Completion. Ms. Miles drafted and made a motion to recommend that a Certificate of Completion be issued for 215 Shrewsbury Street; Mr. Frieden seconded; all voted in favor; motion approved.

29 Prospect Street (Municipal Lighting Plant New Garage) Site Plan Review – Accept Application and Schedule a Public Hearing – Ms. Miles recused herself from the matter because she is an abutter to the site. The application was accepted and a public hearing was scheduled for March 9, 2022 at 7:05 p.m.

Chair's Update from the February 2<sup>nd</sup> Selectboard Meeting – Mr. Anderson attended the Selectboard meeting to discuss communication between the Planning Board and the Building Inspector. The Westland Circle HOA is one example of something that could have been handled better. Because Building Inspectors as well board members change, a method of having a shared document with timelines and requirements of the conditions is needed. There was a system years ago that the Building Department still uses. Mr. Rajeshkumar commented that this Building Inspector as well as previous Building Inspectors were told about the required conditions of approval. The Building Inspector is responsible for issuing Occupancy Permits. He has been asked to send communication to the Planning Board before issuing an Occupancy Permit asking if there are any issues the board may have, but that does not happen. Mr. Frieden said it should fall on the part of the applicant as well. The next step is to find appropriate software or perhaps update what the Building Department is currently using. Ms. Miles said the Building Inspector should be checking the conditions to see if they were completed.

Mr. Anderson commented that also in that meeting marijuana delivery services and the request for street acceptance of Nuha Circle were discussed. The Marijuana Joint Subcommittee will meet on February 22<sup>nd</sup>; Mr. Frieden will attend. The Nuha Circle street acceptance is being reviewed by Town Counsel and VHB.

**Reports from Other Boards:** None tonight.

Invoices were approved for payment.

Mr. Frieden made a motion to approve the draft January 12, 2022 Meeting Minutes and Public Hearing Minutes for 307 Lancaster Street (Bethlehem Bible Church); Mr. Rajeshkumar seconded; all voted in favor; motion approved.

March 9, 2022 at 7:00 p.m. was confirmed as the next regular meeting date and time.

Mr. Vignaly said the Central Mass Regional Planning Commission (CMRPC) is asking for responses from communities by 5PM today regarding inclusion in a “model rezoning” project to comply with 2021 Housing Laws relative to “MBTA Communities”. Nancy Lucier informed them that the town is interested but not committal and the Planning Board will be discussing it tonight. CMRPC is looking to contract to make a typical or standard bylaw revision to comply with the Governor’s law from 2021. There are 15 communities affected in Central Mass; it is part of District Local Technical Assistance (DLTA); the town would have to pay 5% or so of the cost and could be “in kind service”. It’s to change the bylaw to create a land use within a half mile of the MBTA services. The town doesn’t have MBTA services, but because Worcester does, the abutting towns are considered MBTA communities (by the new definition in the law). The law requires the communities to have 15 residential housing units (for families) or more per acre to qualify for future grants and funding from the state. The question is, what do we really want to do? It’s not very practical for West Boylston. It is being tied into the MassWorks Grant; if you don’t have it, you won’t be getting grants. Mr. Vignaly asked if it is a way that we can put on paper that we are “working toward” the goal, but be realistic and know we would not implement it? Maybe we could change the zoning in the Business District to allow 15 unit per acre. Mr. Frieden said if that was the case then we shouldn’t do it at all. It would have to be a new zone on land in the required area that would be zoned for such a high density. The result was to have CMRPC put something on paper to see what really needs to be done and evaluate the impacts to West Boylston once we see what is recommended. Mr. Rajeshkumar said we don’t have the land. The board was in agreement that they don’t want to change zoning to allow 15 units per acre.

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

The meeting was adjourned at 8:45 p.m.

Date Accepted: \_\_\_\_\_

By: \_\_\_\_\_  
Vincent P. Vignaly, Clerk

Submitted by: \_\_\_\_\_  
Melanie Rich