



## THE PLANNING BOARD OF WEST BOYLSTON

140 WORCESTER STREET  
WEST BOYLSTON, MASSACHUSETTS 01583

### CERTIFICATE OF SITE PLAN REVIEW APPROVAL, SPECIAL PERMIT, AND STORMWATER MANAGEMENT APPROVAL

February 13, 2019

Elaine Novia, Town Clerk  
Municipal Offices  
140 Worcester Street  
West Boylston, MA 01583

**Applicant/Owner:** RJF Commercial Properties, LLC.

**Proposal:** Two Commercial Buildings and Associated Improvements on Two Lots

**Site:** Lot 5-R, 125 Shrewsbury Street; and Lot 5-L, 160 Hartwell Street

In conformance with the West Boylston Zoning Bylaws, Section 3.6, Site Plan Review, the Planning Board of West Boylston, Massachusetts hereby certifies that it voted to **APPROVE** the Site Plan Review Application for construction of two buildings and associated parking & services at the above-noted locations with the conditions listed below at a duly called and properly posted meeting of said Planning Board, held on **February 13, 2019**. The Planning Board, acting as the Town of West Boylston's Special Permit Granting Authority, voted to GRANT the Special Permit requested under Section 3.2 of the Zoning Bylaws for a Business Center (three or more businesses) located on Lot 5-R at 125 Shrewsbury Street; and an Industrial Park (two or more units) on Lot 5-L at 160 Hartwell Street. The Planning Board, acting as the Town of West Boylston's Stormwater Authority's designee, voted to **APPROVE** the Stormwater Management Plan for these lots at the same time.

The Approved Site Plan is entitled 'Site Plan Approval Documents' and contains 14 sheets dated December 5, 2018 with revisions through February 11, 2019, prepared by McCarty Engineering, Inc. of Leominster, MA. The Approved Site Plan is stamped by Brian R. Marchetti, P.E., Civil License #46279. The Site Plan was originally filed with the Planning Board on December 5, 2018, concerning the proposed commercial buildings on Lot 5-R, 125 Shrewsbury Street; and Lot 5-L, 160 Hartwell Street. The public hearing was opened on January 23, 2019, then continued to and closed on February 13, 2019.

#### Findings:

1. The Owner/Applicant is RJF Commercial Properties, LLC, 20 Sewall Street, Shrewsbury, Massachusetts (hereinafter "Applicant"), or (hereinafter "Owner") submitted the Approved Site Plan relative to the depicted site area.
2. The improvements presented by the Applicant are relative to two lots depicted as the site area (hereinafter "Site Area") located on Lot 5-R 125 Shrewsbury Street and 5-L 160 Hartwell Street, West Boylston, containing approximately 5.8 acres of land.

3. The location of the proposed building with associated site improvements on Lot 5-R at 125 Shrewsbury Street is considered a Business Center and is located in both the Business and Industrial Zoning District of the Town of West Boylston. The location of the proposed building with associated site improvements on Lot 5-L at 160 Hartwell Street is considered an Industrial Park and is located in the Industrial Zoning District of the Town of West Boylston. Both proposed uses "Business Center" & "Industrial Park" require the Planning Board to grant a Special Permit.
4. The parking area proposed at the site depicts 63 spaces, which is more than the zoning-required amount of 35 spaces. The 160 Hartwell Street Lot (Lot 5-L) requires 4 spaces, with 10 shown, and the 125 Shrewsbury Street Lot (Lot 5-R) requires 9 spaces, with 28 shown. The remaining spaces on the adjacent lots are designated for the self-storage facility and baseball facility.
5. Since this application depicts new construction, the Applicant's engineer has submitted a stamped/signed and completed Stormwater Report to the Planning Board and the West Boylston Conservation Commission that indicates that the project complies with the MassDEP Stormwater Standards and the West Boylston Stormwater Bylaw.
6. All catch basins and stormwater inlets will contain a watertight outlet hood and minimum 4' deep sumps.
7. Regular maintenance of the Stormwater Treatment system is required. The Operation and Maintenance Plan for the Stormwater Treatment system is shown on Sheet 13 of the Approved Plan, is documented in the Stormwater System Analysis report, and is part of the site manager's required operations and maintenance procedures. The Owners have committed to executing it.
8. This approval specifically notes all waivers that were granted by the Planning Board. No other reductions or changes are allowed.
9. Comment letters/emails were received from the Fire Department, Police Department and Water District, and all recommended approval.

### **Waivers**

The Applicant requested the following waivers from the West Boylston Planning Board and a decision was voted by said board on February 13, 2019:

1. 3.6.C.2.a- An applicant for a Site Plan Review under this section shall file...the site plan drawn at a scale of 1"=20', or other approved scale...  
The submitted plans were drawn at 1"=40' to accommodate the scope of work proposed on the site to be shown on a single sheet.
2. 3.6.D.1.f- Surveyed property lines including angles and bearings, distances, monument locations, and size of the entire parcel. A professional land surveyor licensed in Massachusetts must attest to said plan.  
A survey was completed by Jarvis Land Survey on March 8, 2018 for the information shown on the west side of the train tracks. The information on the east side of the tracks was compiled from record information provided to McCarty Engineering, Inc. by the property owner. McCarty Engineering Inc. performed site inspections to verify the information shown on the Survey and record information, and then supplemented the plan with additional information as required.

3. 3.6.D.1.m-The location, flow, volume, and timing patterns for existing and proposed traffic shall be provided.

The proposed uses combined will result in a PM Peak Hour vehicle trip generation of 28 trips which is the equivalent of 14 vehicles entering and exiting the proposed development during the PM peak hour. McCarty Engineering stated that this will not result in a significant increase in traffic.

4. 3.6.D.2.C-Applicant should provide traffic/pedestrian flow and vehicle trip information.

The proposed uses combined will result in a PM Peak Hour vehicle trip generation of 28 trips which is the equivalent of 14 vehicles entering and exiting the proposed development during the PM peak hour. McCarty Engineering stated that this will not result in a significant increase in traffic.

**The following conditions shall apply to the development:**

1. The final grading of the area shall not worsen any existing drainage flow or drainage patterns onto any abutting properties.
2. Deep test holes shall be completed at the start of construction, and results submitted to the Board for approval that the stormwater system is more than 2 feet above the estimated seasonal high groundwater level prior to the start of building construction.
3. Copies of the architectural and structural plans for each building shall be provided to the Board prior to construction of that building.
4. Prior to the release of this Approval, the Applicant shall reimburse the Town for all professional review fees in excess of the amount originally posted.
5. The Applicant shall comply with the requirements of the DCR Asian Longhorn Beetle eradication program when removing vegetation from the site.
6. All lighting at the site shall be directed down and be anti-glare in compliance with the Zoning Bylaws.
7. All proposed signage shall comply with the Signs and Billboards regulations in Section 5.6 of the West Boylston Zoning bylaws.
8. All proposed parking shall be set back at least 10' from the property boundaries.
9. The shared parking and access agreement wording shall be submitted and approved by Town Counsel and the Planning Board prior to the issuance of an Occupancy Permit.
10. No materials, equipment, or supplies shall be staged or stockpiled within 10' of the areas where the stormwater treatment systems are proposed to infiltrate into the ground. These areas shall not be used as temporary sediment storage areas during construction operations.
11. A copy of the Stormwater Pollution Prevention Plan and the EPA National Pollution Discharge Elimination System Construction General Permit (CGP) shall be submitted to the Planning Board and Building Inspector before the start of construction. Reports required under the CGP shall be transmitted electronically to the Planning Board within a week of their completion.

12. Any additions or changes to the proposed exterior signage, other than signs required under the Building Code, must comply with zoning requirements, be submitted to the Building Inspector and Planning Board, and receive approval from both prior to installation.
13. Construction is allowed only between the hours of 7:00 am and 6:00 pm Monday through Saturday. No construction is allowed on Sunday.
14. Scheduling of deliveries, trash removal, and all commercial truck traffic is allowed only between the hours of 7:00 am and 7:00 pm.
15. One set of plans will be signed at a meeting. The applicant will be responsible for providing 7 paper copies along with an electronic copy sent to the Planning Board as well as one to the Planning Board's review engineer within 10 days. A Building Permit will not be issued until these are received.
16. The Applicant shall provide the Board with monthly written progress updates summarizing project and site activities during construction. The Applicant acknowledges that they will be responsible to reimburse the Town for the Planning Board's Engineer to conduct regular inspections of the site. The inspections will be performed by its Engineer at least once every month (or as agreed to by the Applicant and the Planning Board and determined based on the construction schedule for the site) to monitor the progress of site activities and stabilization. All utility and roadwork within the site shall be inspected and approved by the DPW/Planning Board's selected inspecting engineer/inspector. Prior to both the first inspection and to Planning Board endorsement of the Site Plan, the applicant shall establish and maintain a Town account for Town inspections and peer reviews beginning with an initial deposit of \$5,000 for payment of inspections, said account to be administered in accordance with MGL c. 44, §53G.
17. The Applicant and its successors and assigns shall give timely and adequate prior notice to the Planning Board inspectors and the DPW to permit adequate processes and to conduct all inspections. In the event work is completed and backfilled without the proper notice to allow the Planning Board's consultant to perform the required inspection, the Board reserves the right to allow its consultant to require excavation or third-party testing of the completed work so the required inspection can be performed to the satisfaction of the inspector. The construction observed shall include, but not necessarily be limited to, the construction of all site work, grading, drainage and Stormwater management measures, dust control measures, erosion control measures, minimization of adverse impacts to the residential abutters, and general adherence to the Approved Site Plan. Job site safety is specifically excluded from the scope of these construction observations. Inspections by the Town, include but may not be limited to:
  - a) Site Clearing and sedimentation control (silt fence, entrance, silt sacks)
  - b) Drainage, water, sewer and other utility construction (first day to confirm correct installation procedures and then periodic inspections to monitor installation)
  - c) Grading (random visits to assure correct drainage patterns)
  - d) Sub-base material for roadway, parking lots and sidewalk areas (periodic visits) (compaction tests, proctor number and gradation tests required for Town-owned roadway and sidewalks)
  - e) Detention Basin/Infiltration System construction (bottom area and periodic visits)
  - f) Paving operations (first day to confirm correct methods then periodic inspections to monitor construction)
  - g) Pavement Markings, if applicable (periodic visits)
  - h) Sidewalks/Wheelchair Ramps, if applicable (periodic visits)
  - i) Soil Stabilization, if applicable (periodic visits)

- j) Lighting and landscaping (periodic visits)
- k) Construction of Structural walls or other Structural items if applicable (as needed)
- l) Utility testing (if required)

18. The Planning Board may require the Applicant to replenish the inspection fund in the event construction continues longer or is more involved than originally anticipated, and more observation and/or inspection time is required.
19. Construction shall conform to the Approved Site Plan and specifications submitted to the Planning Board and be in conformance with good industry practices. The Approved Site Plan shall not be changed, amended or modified without advance approval of the Planning Board. Any significant changes to the Approved Site Plan shall require a formal re-submittal of the proposed changes to the Board prior to implementation. Failure to abide by this requirement may result in the Board rescinding its Site Plan Review Approval.
20. Construction must be started within one (1) year from the date of this Certificate of Site Plan Review Approval. This approval may be extended for up to one year if an acceptable reason and written request is received by the Board at a meeting before the end of the approval period. Construction must be completed within three (3) years from the date of this approval. If the Applicant fails to meet either of these conditions, this Certificate of Site Plan Approval shall become null and void without further action of this Board and an Amended Site Plan Review application will be required to be approved before a permanent occupancy permit may be issued.
21. Certified "As-Built" Site Plans and a written certification by a professional engineer noting any discrepancies between the actual construction and the approved plans shall be stamped by the engineer. These Certifications that construction was completed in accordance with the Approved Site Plan shall be submitted to the Planning Board for review and approval before a Certificate of Completion may be issued. **In accordance with Section 3.6.I.7 of the Zoning By-laws, a Certificate of Completion is required before a permanent occupancy permit may be issued by the Building Inspector.** The Applicant shall reimburse the Board for engineering and consulting services to review and verify that the As-Built Plans conform to the Approved Site Plan.

**VOTED regarding requested waivers as follows:**

Paul R. Anderson, Chair	<u>Yes</u>
Marc S. Frieden	<u>YES</u>
Sarah Miles	<u>yes</u>
Barur R. Rajeshkumar	<u>yes</u>
Vincent P. Vignaly	<u>yes</u>

**VOTED As Follows regarding Site Plan Review, Special Permit and Stormwater Management Review (waivers notwithstanding):**

Paul R. Anderson, Chair	<u>Yes</u>
Marc S. Frieden	<u>YES</u>
Sarah Miles	<u>yes</u>
Barur R. Rajeshkumar	<u>yes.</u>
Vincent P. Vignaly	<u>yes</u>

No permit to build or alter any building or structure or change of use requiring a Site Plan Review shall be issued by the Building Inspector without a Certificate of Site Plan Review Approval. No changes to the Approved Site Plan may be made without Planning Board approval.

**Consented to by the West Boylston Planning Board:**



Paul R. Anderson, Chair



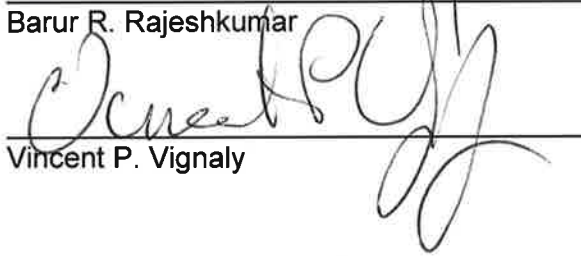
Marc S. Frieden



Sarah Miles



Barur R. Rajeshkumar



Vincent P. Vignaly

Filed with the Town Clerk on 2/15/19.