



## THE PLANNING BOARD OF WEST BOYLSTON

140 WORCESTER STREET

WEST BOYLSTON, MASSACHUSETTS 01583

### CERTIFICATE OF SITE PLAN REVIEW APPROVAL AND STORMWATER MANAGEMENT APPROVAL

December 12, 2018

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

**Applicant:** Flagg RV Center  
**Proposal:** New replacement garage and parking alterations  
**Site:** 66, 76, 67, and 84 West Boylston Street  
**Owner:** Flagg RV Center

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 a building (6,050 sf), outside retail sales areas and associated parking for the site at a duly called and properly posted meeting of said Planning Board, held on **October 10, 2018**. The Planning Board, acting as the Town of West Boylston's Stormwater Authority's designee under General Bylaw Article XXXII.4, voted to **APPROVE** the Stormwater Management Plan at the same time.

The Approved Site Plan is entitled 'Plan of Land in West Boylston, Prepared for Flagg RV Center' and contains 2 sheets, August 27, 2018 with no revisions, prepared by Andrysick Land Surveying of Princeton, MA. The Approved Site Plan is stamped by Douglas Andrysick, Registered Land Surveyor License #34608. The Site Plan was originally filed with the Planning Board on September 12, 2018, concerning the already-built new garage building and already-modified alterations to the parking lot at 66, 76, 78, and 84 West Boylston Street. The public hearing was opened and closed on October 10, 2018.

**Findings:**

1. The Owner is Maro Flagg, Jr., 6 Torrey Rd, Sutton, MA (hereinafter "Owner"). The Applicant is Michael Flagg, 18 Dominitis Drive, Holden, MA (hereinafter "Applicant"), who submitted the Approved Site Plan relative to the depicted site area.
2. The improvements presented by the Applicant were relative to the site area (hereinafter "Site Area") located at 66, 76, 78, and 84 West Boylston Street, West Boylston, containing approximately 11.1 acres of land.
3. The location of the lot is in the Business Zoning District of the Town of West Boylston. Outdoor motor vehicle sales, and automobile service use are allowed with a Special Permit from the Board of Appeals in this Zone. No record of this Special Permit was submitted.
4. The Building Inspector issued a building permit based on original plans showing that the new garage building was not more than 25% larger than the old building, but subsequent plan changes resulted in an enlargement that is twice the size of the old building, which triggered a Site Plan Review requirement.
5. The Planning Board approved the plan for parking areas and traffic circulation as proposed on the Approved Site Plan. The number of units for sale or service is at the discretion of the Board of Selectmen, no determination was made by the Planning Board for this.
6. The Applicant's surveyor stated that changes to the parking area are minor, and result in a slight decrease in impervious area at the site, and that they would submit a certification that the work was done in compliance with MassDEP Stormwater Standards, as is required in the West Boylston Stormwater Bylaw.
7. The Applicant's Surveyor presented at the Public Hearing that neither the building nor the parking changes resulted in any change in stormwater runoff. The Applicant presented that the Conservation Commission has inspected and approved of the stormwater system changes required by the new building.
8. The Applicant requested a Special Permit under Section 3.2 from the Planning Board, but the Board of Appeals is the issuing authority for outdoor motor vehicle sales, and automobile service use. No record of this Special Permit was submitted.
9. This approval specifically notes all waivers that were granted by the Planning Board. No other reductions or changes are allowed.

10. Comment letters were requested from the Board of Health, Conservation Commission, Building Department, Department of Public Works, Police, Fire, Town Clerk, Lighting Plant, and Water District. The Planning Board only received comments from the Police Department.

#### Waivers

The Applicant requested waivers from Section 3.6.D.1.m, -r, and -u.

The Planning Board approved these waivers for this project for a traffic study, lighting study, and showing snow storage locations.

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 abutting properties.
2. A stamped and certified MassDEP Checklist for Stormwater Report shall be submitted to the Planning Board and contain a certification that the building and parking changes comply with the MassDEP Stormwater Standards as is required by the town's Stormwater Bylaws.
3. The extent of the commercial use is not allowed more than 30' beyond the Business Zoning District Boundary by Section 2.4 of the zoning bylaws. A surveyed demarcation of this boundary limit should be established on the site to ensure future compliance.
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. As noted at the Public Hearing, the flood light at the northeast corner will be adjusted to stop the glare onto Route 12 northbound traffic.
7. The parking calculations that were noted at the public hearing to be included on the plan did not show or calculate the customer parking required for this use per the zoning bylaws, Section 5.2.B.1.n. The approved plan depicts outdoor sales area for 201 RVs (recreation vehicles), but does not provide the area of this outdoor retail sales area. Town Zoning requires three customer spaces for every bay/stall used for garage service, plus one customer space for every 2,000 sf of outdoor retail sales area, plus one space

for every 400 sf of office/showroom. This appears to be significantly more than the five spaces depicted for said uses on the plan. The depicted access ways must be maintained to be 24' wide to allow emergency vehicle operations. The Board of Selectmen has jurisdiction over the number of vehicles that may be allowed at the site.

8. Expansion of the RV parking into areas not depicted as such on the approved plan will require a new Site Plan Review if it involves 15 or more vehicles. All vehicle parking must be set back at least 10' from all property boundary lines per Section 5.2.B.2.c.
9. A Special Permit under Section 3.2 from the Board of Appeals is required in the zoning bylaws for outdoor motor vehicle sales, and automobile service use. No record of this Special Permit was submitted, and the Building Department should confirm it is allowed.
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. Any additions or changes to the proposed exterior signage in West Boylston, other than signs required under the Building Code, must comply with zoning requirements and be submitted to the Building Inspector and Planning Board for both approvals prior to installation.
12. Construction is allowed only between the hours of 7:00 am and 6:00 pm Monday through Saturday. No construction is allowed on Sunday.
13. Scheduling of deliveries and commercial truck traffic is allowed only between the hours of 7:00 am and 7:00 pm.
14. 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.
15. 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, or as agreed by the Planning Board, said account to be administered in accordance with MGL c. 44, §53G.

16. 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, or its agents, include but are not 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)
17. 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

18. 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.
19. 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.
20. Certified "As-Built" Site Plans and a written certification by a professional engineer noting 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 3.6-1.7 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 As Follows regarding Site Plan Review Approval and Stormwater Management Review:**

Paul R. Anderson, Chair  
Marc S. Frieden  
Sarah Miles  
Barur R. Rajeshkumar  
Vincent P. Vignaly

yes  
yes  
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yes

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



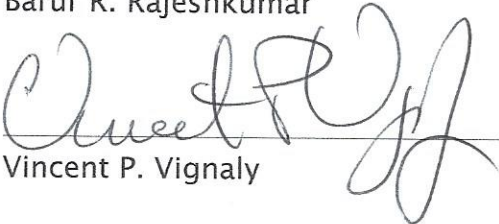
Marc S. Frieden



Sarah Miles



Barur R. Rajeshkumar



Vincent P. Vignaly

Filed with the Town Clerk on 12/13/18

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