



THE PLANNING BOARD OF WEST BOYLSTON

140 WORCESTER STREET
WEST BOYLSTON, MASSACHUSETTS 01583

CERTIFICATE OF SITE PLAN REVIEW APPROVAL and SPECIAL PERMIT FOR BUSINESS CENTER and STORMWATER MANAGEMENT APPROVAL

July 8, 2015

Kim Hopewell, Town Clerk
Municipal Offices
140 Worcester Street
West Boylston, MA 01583

Applicant: Checker Real Estate, LLC
Proposal: Construction of Additional Parking Lot and Business Center Use
Site: 216 West Boylston Street
Owner: Micah Chase

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 and Special Permit Application for the above-noted location at a duly called and properly posted meeting of said Planning Board, held on **July 8, 2015**. The Planning Board, acting as the Stormwater Authority's designee, voted to **APPROVE** the Stormwater Management Plan at the same time, with the conditions listed below.

The Approved Site Plan is entitled "Site Plan of Land, Prepared for Applicant/Owner Checker Real Estate, LLC, 216 West Boylston Street, West Boylston MA" and contains 7 sheets dated May 5, 2015 with revisions through June 24, 2015, prepared by Thompson-Liston Associates, Inc., Boylston MA. The Approved Site Plan is stamped by Patrick J. Healy, Civil License #39804. The Site Plan was originally filed with the Planning Board on May 6, 2015, concerning the proposed construction of an additional 19-space parking lot to be accessed via Smith Drive and proposed a change to a business center use. The proposed use of the existing building will include up to three business uses. The public hearing was opened on May 27, 2015, continued to June 10, 2015 and closed on June 24, 2015.

Findings:

1. The location of the lot is in the Business Zone of the Town of West Boylston. Business centers up to a maximum of 100,000 sq. ft. of floor space are allowed in this Zone with a Site Plan Review and Special Permit from the Planning Board.
2. The existing building will remain. A parking lot of 19 spaces is to be constructed with access from Smith Drive (also known as Shrine Avenue).
3. The existing business will use a portion of the building, and two additional businesses, currently a gym/exercise facility (Tenant #1) and a driving school (Tenant #2), will occupy space in the existing

building. Access to the two additional businesses will be via entrances on the southerly side of the building, one near the southwest corner (Tenant #1) and the other closer to the southeast corner (Tenant #2) of the existing building.

4. The proposed parking lot with access from Smith Drive will be exclusively for Tenant #1.
5. One-hundred ninety-five (195) parking spaces have been proposed including nine (9) handicap spaces; these totals are in excess of the zoning-required one-hundred twenty-three (123) parking spaces including 4 handicapped spaces for the depicted place of assembly and wholesale and freight handling area uses, as proposed by the applicant.
6. The applicant submitted documentation to the Planning Board that was reviewed by its consulting engineer and has ensured that the project complies with the MassDEP Stormwater Design Standards and the West Boylston Stormwater Bylaw.
7. The Operation and Maintenance Plan for the drainage system shall be provided on the Approved Site Plan. The amended set of plans is referenced in the second paragraph of this approval letter.
8. This approval **ONLY approves** the waiver of the height requirement (to a maximum of 26' high) for the standing sign located on the southeast corner of the site. All other signs are required to be in compliance with the standards specified in the West Boylston Zoning Bylaws Section 5.6 Signs and Billboards, and require a sign permit application to the Building Inspector for approval prior to installation.
9. The Police Department and the Board of Health approved this application with no objections. The Conservation Commission approved following a negative determination at the location. The Building Inspector approved with comments that all signs must be located in accordance with all applicable bylaws. The Fire Department approved with comments that present access to the building (on the southerly side) be maintained.

Waivers

The applicant requested several waivers and the West Boylston Planning Board has approved the following waivers for this project:

- Section 3.6.C.2.a Submittal of Site Plan- a waiver to provide a site plan drawn at a scale of 1" = 20' as a site plan drawn at a scale of 1" = 40' was provided.
- Section 3.6.C.2.e Submittal of Site Plan- a waiver to submit review fees in accordance with the Planning Board's Site Plan Review Fee Schedule as the town engineer's review is limited due to the scope of the construction proposed.
- Section 3.6.D.1.e Site Plan Contents and Submission Materials- a waiver to submit proposed contours at intervals of 2-feet as the site work proposed is limited in scope.
- Section 3.6.D.1.g Site Plan Contents and Submission Materials- a waiver to include lines of existing abutting streets and driveway locations within 200-feet of the site as all abutting streets near the proposed work area have been included in the submitted plans.
- Section 3.6.D.1.i Site Plan Contents and Submission Materials- a waiver to include shape, size, height, location, and use of all existing and proposed structures on the site and approximate location of structures within 200-feet of the site as no new structures are proposed.
- Section 3.6.D.1.m Site Plan Contents and Submission Materials- a waiver to include location, flow, volume and timing patterns of existing and proposed traffic as a partial traffic study limited to Smith Drive traffic and access was provided.
- Section 3.6.D.1.r Site Plan Contents and Submission Materials- a waiver to include location and type of all existing and proposed on-site lighting as new lighting is proposed only along the new sidewalk.

- Section 3.6.E.3 Service Roads/Connection of Parking Lots- a waiver to include internal circulation systems (service roads) that connect to adjacent developments as Applicant prepared an alternative concept connecting the existing parking lot to the proposed lot with an on-site driveway which was untenable.
- Section 3.6.F.6 Standards for Site Plan Review- a waiver to include safe and adequate storm drainage consistent with building and surface coverage. as drainage calculations were provided only for the portion of the lot to be affected by the proposed work.
- Section 5.6.C.2 Signs and Billboards- a waiver to include a standing sign not to exceed 20 feet in height as the proposed standing sign will be 26' maximum height at the location in the southeastern corner of the site, which is approximately 6 feet lower than the existing elevation of West Boylston Street. The proposed sign will project approximately 19 feet above the elevation of West Boylston Street.

The following conditions shall apply to the development:

1. The final grading of the area shall not worsen any existing drainage flow onto abutting properties.
2. 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.
3. The applicant shall comply with the requirements of the DCR Asian Longhorn Beetle eradication program when removing vegetation from the site.
4. The Approved Site Plan depicts 195 parking spaces at the site. Changes to the parking accessed via Smith Drive will require the applicant to submit an Amended Site Plan Review application.
5. The owner shall cause all customers and employees of Tenant #2 to park in the main parking lot accessed via West Boylston Street.
6. The owner shall maintain the area at the entrance driveway onto Smith Drive in a condition that will provide the sight distances noted on the Approved Site Plan.
7. All lighting at the site shall be directed down and be anti-glare in compliance with the Zoning Bylaws.
8. Any exterior signage, other than signs required under the Building Code, must be submitted to the Building Inspector prior to installation.
9. Applicant is required to submit a proposal to the Board of Selectmen (BOS) for traffic control signage to limit non-local and commercial traffic from traveling through the adjacent residential neighborhoods. The signs are intended to regulate all non-local traffic, including but not limited to that caused by Applicant's proposed development. The Planning Board (PB) is to be notified in advance of the meeting(s) with the BOS in order to schedule attendance of a PB representative at the meeting, if possible. Documentation of all open meeting discussions, conclusions and actions are to be provided to the PB prior to Certificate of Completion. Documentation of any/all resultant traffic control signage beyond the property limits is to be included on the "As-Built" plans.
10. Applicant may be required to reimburse the DPW for traffic control signage in the vicinity of Smith Drive. This signage to be considered by the Board of Selectmen (BOS) and/or DPW is to include "No Parking" along Smith Drive, "Left Turn Only" signs for traffic exiting the proposed parking lot, and any traffic control signage approved by the Board of Selectmen to limit non-local and commercial traffic in the adjacent neighborhood.

11. Construction shall conform to the Approved Site Plans and specifications submitted to the Planning Board and be in conformance with good industry practices. The Approved Site Plans shall not be changed, amended or modified without approval of the Planning Board. Any significant changes to the Approved Site Plans 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 Approval.
12. 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 a written request is received by the Board before the end of the approval period. Construction must be completed within three (3) years from the date of this approval. If 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.
13. "As-Built" Site Plans and a written certification noting discrepancies between the actual construction and the approved plans shall be stamped by the engineer. Certification 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-D.7 of the Zoning By-laws, a Certificate of Completion is required before a permanent occupancy permit may be issued.** The Applicant shall reimburse the Board for consulting services to review and verify that the As-Built Plans conform to the Approved Site Plans.

VOTED As Follows:

Marc S. Frieden, Chair	<u>YES</u>
Cheryl Carlson	<u>Yes</u>
Christopher E. Olson	<u>Yes</u>
Vincent P. Vignaly	<u>yes</u>
Barur R. Rajeshkumar	<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 Approval. No changes to the Approved Site Plans may be made without Planning Board approval.

Consented to by the West Boylston Planning Board:

Marc S. Frieden
Marc S. Frieden, Chair

Cheryl Carlson
Cheryl Carlson

Christopher E. Olson
Christopher E. Olson

Vincent P. Vignaly
Vincent P. Vignaly

Barur R. Rajeshkumar
Barur R. Rajeshkumar

Filed with the Town Clerk on 7/9/15