



**ZOOM MEETING MINUTES**  
**November 9, 2022**

Members Present: Sarah Miles (Chair), Marc Frieden, Vincent Vignaly, Francesco Lopriore, Barur Rajeshkumar

Members Absent: None

Others Present: Paul Lenkarski, Jacqueline Leonardo, Jennifer Warren-Dyment

**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 Zoom meeting at 7:00 p.m.

Pursuant with Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency signed into law July 16, 2022, the West Boylston Planning Board is being conducted remotely. Members of the public who wished to view the live stream of this meeting could do so via the link listed on the agenda.

Members Present: Frank Lopriore, Vincent Vignaly, Barur Rajeshkumar, Marc Frieden, Sarah Miles

Citizens' Comments – Jacqueline Leonardo asked if there were any updates from Town Counsel regarding Nuha Circle; Ms. Miles said the board is still waiting for a response.

**Public Hearing (continued):** 73 West Boylston Street – Site Plan Review, Special Permit, and Stormwater Management Permit applications submitted by Crescent Builders, Inc. for a proposed ten-unit townhouse development.

Mr. Ali requested a continuance via email. Mr. Vignaly made a motion to continue the public hearing to 7:05 p.m. on February 8, 2023; Mr. Frieden seconded; roll call vote: Lopriore-yes; Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Miles-yes; motion approved.

**New Business:**

20 Holt Street – Paul Lenkarski was in attendance to discuss the steps to close out his project. He said for the most part the plan has been built out and the project is near completion; final paving will be done next week; they are in the final stages of finishing the units; people are living there under temporary Occupancy Permits. There are some issues, the most significant being the turnaround area at the end of the common driveway for emergency vehicles. They originally proposed a grass structure product that would have left the area vegetated. After research of the product, they found it was a difficult product for winter plowing, so they put in a dense grade material and stone dust material that was packed down and thought they could have that as the turnaround. Mr. Lenkarski discussed the overall turnaround with the Fire Chief and was told the way he had it was not acceptable. Ms. Miles commented that there would be more impervious surface area. Mr. Vignaly explained that water

penetrates the grass, which was the intent. The design of the drainage system was that the area was to be grassed and flow coming from it will have treatment before it got into the stormwater treatment area. The reasons for it were the size and construction. He said there are products that work the way it's designed. The board doesn't like the idea of going to impervious surface and would rather keep it pervious. Mr. Lenkarski can propose a change to the design and provide the documentation, but the board approved a design and Mr. Lenkarski should follow it. Mr. Lenkarski said it's not an integral component for daily living; it's only to provide turnaround for the fire truck. He's trying to provide the best possible turning area to comply with the regulations. Mr. Vignaly said that's why it was proposed to be grass; it's to be used only on rare instances; he should check for products that would serve the purpose. Ms. Miles said that there are products that are like the geo pavers that were originally suggested that might work and could possibly stay within the approved plan, or he could do the pavement and redo the drainage calculations, etc., and present that as a change. Mr. Lenkarski said there was a comment by VHB that there was enough capacity to support pavement in that area. Mr. Vignaly said VHB can review it when his engineer sends the information.

Regarding no pavement 10-feet from the lot line on the abutting business parcel, Mr. Lenkarski understood that it was to provide a reserve strip so pavement doesn't abut each other. He said they have a vegetative buffer that separates the two properties and asked what drives the 10-foot pavement from the lot line? Mr. Vignaly said it is a zoning bylaw. You can have an access drive within the setback; they will need a variance from the ZBA if they want to change it. The driveway is allowed within 10-feet, but no parking spots. Mr. Tignor said the bylaw states the driving part can be within 10-feet; if they are parking, it has to be at least 10-feet away from the property line. Mr. Lenkarski said they had a pre-existing parking lot that abuts to it; where the existing parking was is a landscape buffer between the parking lot and this project; it's a physical barrier. He said this project abutted existing pavement. He needs to go to the ZBA and get a variance. The board cannot waive a zoning requirement.

Mr. Lenkarski said all the applicable inspections were done. VHB has made multiple site visits. Mr. Vignaly said VHB will follow up and can go out next week for a site visit. Mr. Lenkarski will need to deposit \$1,000 into his 53G account.

Mr. Lenkarski asked if this will close out the special permit. Mr. Vignaly said the special permit runs with the property; part of it is Site Plan Review; it's all in the approval letter. The Board needs to look at the HOA, drainage, trash removal, and the wall looks to be on town property; an easement is needed if it is. Mr. Lenkarski said he tried to estimate it from his neighbor on Holt Street and keep it off the pavement. Mr. Vignaly said there is a telephone pole behind the wall. Mr. Lenkarski said that was a requirement by the Light Department on private property. He asked about the condo documents and what triggers needing Town Counsel approval. Mr. Vignaly said it is a legal document. There will be eight units there and the Board wants to make sure it's established appropriately. Mr. Lenkarski will send the documents to Ms. Miles who will forward it to Town Counsel. Mr. Vignaly said it should have been in place before they received a temporary Occupancy Permit. It should have been reviewed before any permits were issued.

Zoning Changes Discussion – Potential zoning bylaw changes for the May 2023 meeting were discussed for Sections 1.4.A. (Continuation of Non-Conforming Uses) to match State Law wording; 2.4 (Lots in Two Districts) to prevent non-single-residential building near single-family properties; Section 3.4 (Accessory Apartments) to remove the section to reduce zoning non-compliance; Section 3.6.C.2.a (Submittal of Site Plan) to improve submittal requirements; Section 3.6E.8 (Stormwater

Management-Grading and Drainage) to update current standards; Section 5.1 (Accessory Use) to prevent large accessory uses; and create a new Section 5.3E. (Prohibition of Storage Containers).

Ms. Miles said to bring revised or newly created potential changes to the next meeting for discussion. Mr. Femia commented that the ZBA has to enforce the bylaws and asked that they be kept informed of any changes/additions; Ms. Miles agreed and said we will put any changes out for comment. Mr. Vignaly said after the board decides what to move forward with, it will be sent out to all town boards for comment. Two years ago, the board put out a draft for comment and only received one revision. We want to make sure people know what is going to Town Meeting and if they have any concerns, have a discussion at a public hearing. A public hearing will be held in March or April. Mr. Vignaly would like to get comments so something can go out within the next two weeks to the boards.

The Town Administrator said changes to the subdivision regulations do not need to be approved at Town Meeting. Changes would need to be listed on the agenda for a public hearing. Ms. Miles said to show any changes requested and it can be added to the next agenda in a clear and concise document/format.

The Town Administrator also said there is a potential change needed to the zoning bylaw regarding the MBTA communities. A state law was enacted to increase housing density in MA. It's being done by analyzing communities that have an MBTA service line in their communities or are an adjacent community or adjacent small town requiring those towns based on that classification to have as of right zoning of unit density of 15 units per acre and, if the community doesn't create that, the state would withhold certain types of state funds and grants from the community. West Boylston has been classified as an adjacent community. Technical support will be available throughout the project; Emily Glaubitz from CMRPC has been assigned to work with us. There is plenty of time to discuss where we might want to put the zoning and how we want it to look, but the town does have a deadline of January 31, 2023 to submit an action plan to the state; it will tell them how we think we are going to get there. CMRPC would like to attend the next meeting to explain what the board will need to do for the action plan and compliance and help lay out a timeline. Not one unit is required to be built by this law; it just needs to be zoned to be allowed by right. It can be overlayed on property that is currently developed; it does not need to be vacant land. The state will be providing maps showing where we should put it. Mr. Vignaly said CMRPC has already evaluated the specific conditions in West Boylston and set some of the numbers that apply to West Boylston. They will be added to the agenda for December 14<sup>th</sup>.

**Reports from Other Boards:** Ms. Miles said the Economic Development Task Force has been meeting regularly. Mr. Frieden provided documentation on engaging business. Ms. Miles said there are two vacant seats. There is a new gateway sign in the Pinecroft triangle; it will be available for a local business to rent in the next drawing.

Invoices were approved for payment. Mr. Frieden made a motion to accept the draft October 12, 2022 Meeting Minutes; Mr. Lopriore seconded; roll call vote: Lopriore-yes; Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Miles-yes; motion approved.

December 14, 2022 at 7:00 p.m. was confirmed as the next regular meeting date and time; it will be a Zoom meeting.

Mr. Frieden made a motion to adjourn; Mr. Lopriore seconded; roll call vote: Lopriore-yes; Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Miles-yes; motion approved.

The meeting was adjourned at 9:04 p.m.

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

By: \_\_\_\_\_  
Marc Frieden, Clerk

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