



TOWN OF WEST BOYLSTON PLANNING BOARD planningboard@westboylston-ma.gov
140 Worcester Street ** West Boylston MA 01583 ** Phone 774-261-4073

MEETING MINUTES
August 16, 2023

Members Present: Barur Rajeshkumar, Marc Frieden, Vincent Vignaly, Francesco Lopriore, Kevin LaClaire

Members Absent: None

Others Present: John Grenier, Jimmy Ricciardi, Gary DeWolfe, Iqbal Ali, George Tignor, Emily Glaubiz, Bob Gallo, Julian Votruba

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 6:00 p.m.

Citizens' Comments – None tonight.

The board returned to its regular meeting at 6:55 p.m.

New Business:

Emily Glaubiz (CMRPC) to discuss proposed Zoning Bylaw change – Emily Glaubiz was present to discuss the new state requirement to increase housing in MBTA communities that the town is subject to. She has been working with Mr. Rajeshkumar, Mr. Vignaly, and the Town Administrator. Mr. Vignaly explained that the town is designated as an “Adjacent Community” and included because it abuts Worcester, even though there is no MBTA service within 3 miles of the town. The state is requiring that there be a specific amount of high-density residential zoning in all MBTA communities; therefore, the zoning bylaws need to be changed if the town wants to continue to be eligible for state funding. Ms. Glaubiz explained that the deadline to submit district compliance is December 31, 2024. It is hoped to get a bylaw passed at the upcoming town meeting; if not, it can be done next year. The state’s compliance model was reviewed; the minimum multi-family unit capacity is 587 units; the minimum land area is 39 acres. The proposed district area is 62.991 acres, is a contiguous district, is currently zoned as Single Residence and Industrial with a multi-story district overlay and wireless communication overlay and allows buildings up to 68’ in height. The new district could be established as a new underlying zoning district or be done as an overlay district. Being a single contiguous area, she thought an underlying district would work. Mr. Vignaly said the location would include all the current allowed zoning uses plus adding up to 18 units per acre so we can meet the requirements of the MBTA laws. He suggested it be labeled as the “MBTA Residence District” to be clear that it’s legally required because the town is considered as an MBTA community. If an area is not designated, the town will lose the potential for grants and funding from the state. Ms. Glaubiz will prepare and provide the wording prior to the September 13th meeting.

275 Woodland Street (Kidoodles) – Request to Withdraw Site Plan Review Approval – Linette Roche emailed a request to the board to withdraw her site plan review approval because she is now

constructing a single-family home. Mr. Rajeshkumar requested that the applicant attend the next meeting to discuss any issues. Joe Dufresne, an abutter at 60 Juniper Lane, Holden, was present. His concern is that the land is raw and there is a steep slope; he would like to see it stabilized and the silt fencing removed. George Tignor spoke to Ms. Roche about the situation. She will do what needs to be done in order to withdraw the Site Plan Review approval. He is in favor of it being a single-family residence and sent the board an email. Mr. Vignaly said we are at a point where Mr. Tignor is ok with it being removed from the Site Plan Review approval process, but because they started work, they need to stabilize their site. Mr. Tignor will tell Ms. Roche to stabilize the site before the next meeting.

Westland Circle Subdivision (Request to Amend Condition #15) – Review Application and Set Public Hearing Date – Mr. Ali was present. Mr. Rajeshkumar said we are waiting for Town Counsel to respond to the request to amend the subdivision approval. Mr. Vignaly said once we receive guidance from Town Counsel we have 90 days to respond. Mr. Ali said the work is continuing and the as-built plan is being prepared. It will not be ready for the October town meeting. Mr. Frieden commented that the approval has expired and asked if the board has to formally extend it; the board is waiting for Town Counsel to respond. He also said the public hearing should include the discussion of the change to the sewer ownership requirements that were previously discussed with the Select Board.

West Boylston Getty Station (Hayssam Yaghmour) Parking Spaces – Hayssam Yaghmour gave a sketched prepared by Mr. Tignor of a parking plan for 14 cars. Mr. Tignor said he has a license for 8 cars and wants to increase it to 14 cars. The lot next to his has been purchased by Mr. Yaghmour. No action is needed by the Planning Board if the total number of spaces on the two combined lots don't exceed 14. He will still have to comply with all the zoning requirements which will be reviewed by Mr. Tignor. Mr. Yaghmour will need to go to the Select Board to increase his license to 14 cars.

Nuha Circle Update – Vanessa Kuzmanovski (6 Nuha Circle) was present. She asked if #1 and #2 Nuha Circle pay into the Homeowners Association and was told they had not. She asked when she could get a copy of the bank account information. Mr. Ali said when she establishes an account he can transfer it to her; it's approximately \$825. She mentioned getting some of the cracks near the driveways sealed. There was a car parked over an area when the crack treatment was being done and nobody came back to do that area. Mr. Ali said the work was complete. Mr. Ali said between the aprons and the driveway there will be a seam; it will never get sealed. Ms. Kuzmanovski said near #1 Nuha there is a lot of runoff and soil from Prescott Street not being graded properly and asked if it could be fixed. Mr. Ali said it hadn't been swept in 3-4 years; it needs to be swept and the catch basins and detention basin have to be cleaned out; it's not a grading issue. She asked when the final maintenance and street cleaning the road will be done and was told before the road is accepted. She asked who has to notarize the HOA and was told one person could do it and record it. Mr. Ali needs to know who will be the new Trustee since he will resign once the road is accepted. She said only 6 of the 8 houses have the HOA included in their deeds; #6 and #4 do not; #3, #5, #7, #8, #9 & #10 are subject to the HOA. Mr. Ali said the Planning Board approval and the covenant is already recorded. She said the PB approval says that it's issued for more than four of the lots and #1, #2, #4 & #6 don't need to be in it. Ms. Kuzmanovski does not want to be in the HOA since it is not on her deed; it's a matter for the attorney. Mr. Vignaly said if there's no requirement in the deeds, they need to establish who is in the HOA. Mr. Ali said it is in the deed for the roadway and other lots have it included. Mr. Ali said all the paperwork required for the warrant is in.

The Town Administrator said that for the adopted process, the documents needed to be in three months prior to town meeting and it would not be possible now unless there will be a deviation from the

written process. The town meeting warrant closes in 15 days. Mr. Vignaly said the issue is that the residents that live on that street want it accepted. Mr. Ali needs to send the full package, including plans, to the board and the board will send it to Town Counsel and VHB. Mr. Ali said the road will be swept and the catch basins and detention basin cleaned out before the next meeting.

Informal Discussion:

181 West Boylston Street – Proposed Coffee Shop Drive Thru – Bob Gallo and Julian Votruba (New England Design) were present. Mr. Gallo said they were previously informally before the Planning Board and wanted to put in a coffee shop with 8-10 seats inside the establishment and a drive-thru; they said they needed less than 15 parking spaces and thought they could get only a special permit from the ZBA. The ZBA classified the drive-thru coffee shop as two different types of businesses; one was the drive-thru and the second they called a restaurant. Mr. Gallo said they are not a restaurant. The ZBA wanted them to come back to the PB to determine if Site Plan Review is needed. Mr. Gallo said the 8 seats that they had that was getting them into the parking problem were removed. It will be a drive-thru only; no inside seating. Mr. Gallo hired Mr. Votruba, who has a driver's license and a license to carry a firearm, but is not a licensed engineer, and based on his interpretation of zoning regulations submitted a letter as to why they don't trigger the threshold for Site Plan Review. Parking is existing and they are not adding any new parking. He said there is a total of 73 existing parking spaces and they only need 58 parking spaces for the drive-thru coffee shop. Mr. Gallo said the only construction will be a 12x60 crossover. He said they have a traffic study and it was submitted to the ZBA. The only reason they are here is because the ZBA called them two entities; a drive-thru and a restaurant. Mr. Votruba said something is needed from this board to say they don't trigger Site Plan Review. Mr. Vignaly said the decision will come from the Building Inspector but he did note that Mr. Votruba's calculations were based on square footage of the drive-thru and not "gross floor area" as stated in the zoning bylaw; therefore, 25 parking spaces are required which is more than the 15 needed to trigger Site Plan Review. Mr. LaClaire asked how will parked vehicles get out if there are queued cars. Mr. Gallo said there will be no parked cars. Mr. Tignor will make the decision after he reviews the calculations and will send the board an email. If he takes the gross floor area and divides it by 40 and it's 15 or more, it needs Site Plan Review.

Zoning Bylaw Codification Questions for Review – Mr. Rajeshkumar said the town received ARPA money and some of it was used to have an outside vendor manage the bylaws in town and it included reviewing the Zoning Bylaws for corrections, duplicates, consistency, etc. They are not changing the intent of the bylaws. Mr. LaClaire and Mr. Lopriore will review the vendor questions and compare them with the zoning bylaws and report back at the next meeting.

Reports from Other Boards: None tonight.

Invoices were approved for payment. Kevin LaClaire made a motion to approve the draft July 12, 2023 regular Meeting Minutes; Frank Lopriore seconded; all voted in favor; motion approved. Frank Lopriore made a motion to approve the draft July 12, 2023 Public Hearing Meeting Minutes for Lot 54 Century Drive; Marc Frieden seconded; all voted in favor; motion approved.

September 13, 2023 at 7:00 p.m. was confirmed as the next regular meeting date and time.

Kevin LaClaire made a motion to adjourn; Marc Frieden seconded; all voted in favor; motion approved.

The meeting was adjourned at 8:26 p.m.

Date Accepted: _____

By: _____
Marc Frieden, Clerk

Submitted by: _____
Melanie Rich