



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

MEETING MINUTES

September 13, 2023

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

Members Absent: None

Others Present: John Grenier, Jimmy Ricciardi, Iqbal Ali, George Tignor, Emily Glaubiz, Linette Roche

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 7:03 p.m.

Citizens' Comments – None tonight.

New Business:

73 West Boylston Street Project Close Out – The application for a Site Plan Review was denied earlier this year. Mr. Vignaly made a motion to close out the Site Plan Review application for 73 West Boylston Street and release the funds; Mr. Frieden seconded; all voted in favor; motion approved.

Old Business:

Emily Glaubiz (CMRPC) – Update on Proposed Zoning Bylaw Change – Ms. Glaubiz was in attendance and gave a brief overview of the MBTA Community Zoning Policy that was passed a few months ago by the Governor to enhance transit oriented development around train, subway and bus stations. West Boylston is designated as an “Adjacent Community” because it borders Worcester even though the nearest MBTA station is over 3.5 miles away. Each community is required to designate a section in town to allow high density multi-family housing by right. The town has until December 31, 2024 to get the bylaw passed.

The Zoning Bylaws will need to be revised to include the following changes: (1) the addition of #7. MBTA Residence District to Section 2.1-Classes of Districts; (2) the addition of a new Use “MFR” to be included in Section 3.2-Schedule of Uses; (3) the addition of “MBTA Community Multi-Family Residence” to Section 4.2-Schedule of Dimensional Uses; and the addition of “The Maximum number dwelling units per acre shall not be greater than eighteen (18) units per acre” to Section 4.3-Modification to Dimensional Requirements. Mr. Vignaly asked about the setback from property lines for buildings taller than 40-feet; Ms. Glaubiz overlooked that and will follow up. A public hearing was scheduled for October 11, 2023 at 7:05 p.m.

Site Plan Review, Special Permit, and Stormwater Management Permit Vote for Lot 54 Century Drive – John Grenier and Jimmy Ricciardi were present. Mr. Ricciardi was asking for revisions to the draft approval. The board reviewed the requested changes item by item. Amendments will be made and reviewed at the next meeting.

Westland Circle Subdivision (Request to Amend Condition #15) – Mr. Ali is requesting that Condition #2 (sewer) and Condition #15 (walkway) be amended and modified. Mr. Rajeshkumar said the DPW and Select Board have agreed to taking the sewer; Condition #2 can be deleted in its entirety. Mr. Ali did not have an amended Homeowners Association document. Mr. Rajeshkumar said he requested Mr. Ali to include deleting Condition #2 in the modification request, an updated list of new property owners from the Assessor's Office, and an updated HOA document. Mr. Ali said the updated list of property owners was submitted with the application he filed in August. Town Counsel said the modification request should be jointly submitted by Crescent Builders and all the homeowners not included in the HOA, or at the very least the Trustees of the HOA. Mr. Ali said he is the only Trustee. After the road acceptance he will resign. The board interpreted "at least" to refer to those properties that are part of the HOA. The board will check with Town Counsel.

A resident asked what happens if not everyone joins the HOA because it is not on every deed. Mr. Vignaly said that's the documentation the board is waiting for. The board needs to see the legal backup to say it was recorded at the Registry of Deeds. Mr. Ali said four houses were sold. Mr. Vignaly said Town Counsel is saying to include the people that are in the HOA, the signature of the HOA trustee applies; but the other people need to apply for it as well. A realtor said she has a P&S on Westland Circle; the buyer's need to know what they are bidding. The concerns regard the sewer system and the walkway. Mr. Rajeshkumar said the town will accept the sewer; the road is not accepted yet. Mr. Ali has to file an application, it has to be approved by the Select Board, Planning Board, and go to the town meeting. The realtor asked about the trail; will it still be there? Mr. Rajeshkumar said that is one of the requested modifications and we don't know the outcome; currently it is included. There was resident discussion about the HOA and whether it was needed. Mr. Vignaly said the town is usually responsible for things in the roadway, anything outside the right-of-way of the road is typically the responsibility of the HOA; they do the maintenance of that area. A resident asked if there is a way for the homeowners to request the town to take over the road as it is. Mr. Vignaly said they would submit a request for acceptance of the street through the town meeting process. As part of that process there is a recommendation from the Planning Board and Select Board. If both of those say they don't recommend approval or acceptance of that road, it would go to vote and most likely not be approved, but you never know until the vote. Mr. Vignaly said once we get the Westland Circle application signed and Mr. Ali provides the board with the information from his lawyer, the board will have to confirm it with Town Counsel and try to get an answer about those property owners that bought before the HOA was recorded.

Nuha Circle Update – Mr. Ali said the paperwork has been submitted to the Select Board. It has to be referred to the Planning Board. It will go to the October town meeting. If all the conditions are met, it will be voted on; if not, it will be passed over. A public hearing was tentatively scheduled for October 11, 2023 at 7:20 p.m. Vanessa Kuzmanovski (6 Nuha Circle) asked what terms he hasn't met, the numbers of trustees that are needed, and if they need them before or after the town accepts the roadway. Mr. Vignaly said there is already an HOA; it is established and in the deed. There is a situation where there was hesitancy on the part of the homeowners to join the HOA. Mr. Vignaly wants to see that the drainage gets cleaned up and the basin gets brought to the correct grades and cleaned out. Ms. Kuzmanovski wanted to know how often they have to take care of it and how. Mr.

Vignaly said that is detailed in the Operation & Maintenance Plan that was approved when the subdivision was approved.

275 Woodland Street (Kidoodles) – Request to Withdraw Site Plan Review Approval and verify site stabilization – Linette Roche was present. Mr. Tignor said he was fine with the plan. They will be putting in a well for water to serve the residence. He spoke to one of the abutters and they were going to work with the builder and Ms. Roche to clean up the area below where they were originally going to put the retention pond. Mr. Tignor has not gone there recently but will visit the site tomorrow. Mr. Vignaly explained that once the board withdraws the Site Plan and Stormwater Management Approval, Mr. Tignor will be responsible for managing and monitoring the site until the project is completed. Mr. Frieden made a motion to approve the withdrawal of the Site Plan Review Approval and Stormwater Management Approval letter for Kidoodles Childcare Center contingent on the Building Inspector’s commitment to monitor the site until 70% cover and stabilization of the site is complete; Mr. LaClaire seconded; all voted in favor; motion approved.

Review Annual Report (Frieden) – The annual report was reviewed and will be sent to Faye Zukowski.

Zoning Bylaw Codification Review Update (Lopriore/LaClaire) – Tabled

Reports from Other Boards:

Invoices were approved for payment. Mr. LaClaire made a motion to approve the draft August 16, 2023 regular Meeting Minutes, draft August 16, 2023 Public Hearing Meeting Minutes for Lot 54 Century Drive, and draft August 30, 2023 Zoom Meeting Minutes; Mr. Frieden seconded; all voted in favor; motion approved.

October 11, 2023 at 7:00 p.m. was confirmed as the next regular meeting date and time.

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

The meeting was adjourned at 10:00 p.m.

Date Accepted: _____

By: _____

Marc Frieden, Clerk

Submitted by: _____

Melanie Rich