



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

MEETING MINUTES
July 12, 2017

Members Present: Vincent Vignaly (Chair), Marc Frieden, Cheryl Carlson, Paul Anderson, Barur Rajeshkumar (arrived 8:10 p.m.)

Members Absent: None

Others Present: See Attached Sign-In Sheet

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 regular meeting at 7:02 p.m.

Village Zoning – Jeff Bagg and Ronak Moradi, planners at the Central Massachusetts Regional Planning Commission (CMRPC) attended. Mr. Bagg explained that he took over the Village Zoning project after Eric Smith resigned and he is currently working with Chris Ryan. He wanted to know if the board's goals and locations were the same. The board previously did a site walk from the town hall that included Central Street, Goodale Street, Prospect Street, Newton Street, and Route 140 south to the railroad tracks. Mr. Bagg said there are a variety of things that can be done with Village District Zoning for the type of building uses and vacant sites. Mr. Vignaly questioned the need for a Village Zoning District or simply changing the Business District to make it all a Business District. Mr. Frieden said we could fine tune what we already have or create a new zoning district. The vacancy rating and the need for more businesses should be looked at. Mr. Bagg said the town could possibly have a transitional zone tailored to the existing buildings. Mr. Vignaly said we are looking to see how it fits as either an overlay or new zoning district. Evaluating the existing uses and violations of zoning should be reviewed. Mr. Bagg gave a PowerPoint presentation. Parking requirements and how much parking would be required in a Village District was briefly discussed. Mr. Bagg felt it could be tailored, possibly with shared parking. DLTA funding ends in December. If the state budget passes, it will renew in January. In addition to working with West Boylston, he is also working with Auburn and Holden to finalize a model Village Zoning Bylaw and model design guidelines. He will contact Mr. Frieden with more information and come back before the board in August or September.

Public Hearing Continued – Site Plan Review for the expansion of the parking lot and stormwater upgrades located at 307 Lancaster Street (Bethlehem Bible Church) – Mr. Frieden read the July 6, 2017 letter received from Goddard Consulting requesting a continuance to the August 23rd meeting as well as granting a 90-day extension to the original 90-day period that the planning board is given to render a review and decision on the project. Mr. Frieden made a motion to continue the Public Hearing to August 23, 2017 at 7:00 p.m.; Ms. Carlson seconded; all voted in favor; motion approved.

Cheryl Tomaiolo – Discussion of Zoning Bylaw Change for Gross Vehicle Weight of Commercial Vehicles Parked Overnight – Cheryl and Edward Tomaiolo (40 Maplewood Ave) brought examples of Holden & Shrewsbury's Zoning Bylaws in addition to photos. The gross vehicle weight for Holden is 10,000 pounds, Shrewsbury is 14,000 pounds, and West Boylston is 18,000 pounds. They felt West Boylston should be changed to be more in line with surrounding towns and definition language added

as well. The Building Inspector (Bentley Herget) provided literature showing and describing the classification of commercial vehicles. He said the owner of the vehicle in question provided a registration showing the tractor was re-weighed and the weight was 17,800 pounds, but it is not known who witnessed it. Ms. Tomaiolo commented that the road is 20' wide and a residential area with children. Mr. Vignaly said the bylaw could be amended to either define gross vehicle weight or gross carrying weight or reduce it to 10,000 or 14,000 pounds. Mr. Herget said the matter has been before the court and it was ruled that the vehicle could not be parked overnight in the neighborhood. The Building Inspector had issued tickets for no home occupation permit and it being overweight. The neighbors and the town went to housing court and a final decision will be made. Mr. Vignaly would like support, including from the Building Inspector, if we are going to amend the Zoning Bylaw at town meeting to change the gross vehicle weight to 14,000 or 10,000 pounds. Mr. Frieden said we should be careful changing the weight limit; he doesn't want the weight changed if it doesn't solve the problem. Mr. Herget will do more research and bring it back to the board at the August 23rd meeting.

Discussion of Completion of SPR Process and Improved Coordination with Building Department – Mr. Vignaly told the Building Inspector that we are running into problems and need zoning enforcement. There are approximately seven sites currently that need to be addressed. A meeting to review the issues will be set with Mr. Vignaly and Mr. Herget.

FroZone – Mr. Vignaly said it has not been reviewed by VHB in a long time. The board has asked the applicant to supply supporting information and compliance about the drainage, but we haven't received it. If they are not issued an Occupancy or issued only a temporary Occupancy Permit, it forces them to address the items and helps to close out the PB files. Mr. Herget said they have a temporary Certificate of Occupancy because he is waiting for information. Mr. Vignaly said the certification doesn't say the differences of what was approved and what is built. The design for the rain garden shows it going from the surface of the pavement going down, a depression. The pictures shown are showing it going up. The area needs to be excavated and built the way it approved, or show the drainage calculations proving they don't need it. They did not submit any drainage calculations for changes for the last site plan that was amended. If they want to make changes, it will need to be reviewed by VHB. The building looks good and the activities are going great, the only issue is they are not in compliance with zoning through the permit process. The sidewalk has also changed. Mr. Vignaly observed a young person falling on the stones into the roadway. The stones need to be taken out and grass put in like it was said they were going to do, or put in a sidewalk to make it safe. The guardrail is not safe either because it appears a vehicle could easily pass over it. There are two new parking spaces that were not on the site plan. We did receive an as-built; it needs to go to VHB. Mr. Vignaly will contact VHB to do an inspection. Mr. Rajeshkumar asked if Mr. Herget could notify the PB before issuing a Certificate of Occupancy. The Zoning Bylaw says that the Building Inspector is required to issue a Certificate of Completion on the project before issuing an Occupancy Permit. Mr. Vignaly said the building inspectors in the past have accepted the PB writing a Certificate of Completion and submitting it to them before they issued the Occupancy Permit. Ms. Carlson said it should be a system of checks and balances and we need to find a better way of communication.

Flagg RV – They came before the PB a year ago and said they were going to take down the existing building and rebuild in the same footprint. It has doubled in size. Mr. Herget told them he didn't think they needed Site Plan Review because the expansion was less than 5,000 square feet and it was less than a 25% increase. Mr. Vignaly said they still need an SPR whether it was done or planned to be done. They are in violation of zoning until they get a SPR. Mr. Vignaly viewed the aerial photographs. It showed the old building and the new building; it is clear that it more than doubled in

size. Mr. Herget said they have a temporary Certificate of Occupancy. Another issue is the number of vehicles allowed which is less than 100. They were moved over to the VFW who doesn't have a permit for automotive storage. It also appears they have repair bays. Mr. Vignaly said he did not think they could make repairs or maintenance on site per the Selectmen's permit. Mr. Herget will check.

137 Shrewsbury Street (Amended Site Plan Review) – Patrick McCarty and Rob Fuller were in attendance. Brian Marchetti has been working with Griffin Rider. VHB issued a final Site Plan Review comment letter dated July 12, 2017. With the exception of the shared parking agreement (in the event ownership changes) which their attorney will draft, VHB had no further issues. Mr. Frieden made a motion to endorse the Amended Certificate of Site Plan Review Approval and Stormwater Management Approval; Ms. Carlson seconded; all voted in favor; motion approved.

Comprehensive Town Wide Plan – Land Use Chapter Update – Tabled to the September 27th meeting.

Reports from Other Boards – Mr. Rajeshkumar said FISP met. Five architects submitted bids for the senior housing project. Three were chosen and will be interviewed on Tuesday.

Mr. Frieden said the Affordable Housing Trust met and the lottery agent for Sajda Gardens is in the process of putting the application on their website. The "affordable" unit pricing is still being debated.

Citizens' Comments – None tonight.

There were no invoices for payment tonight. Ms. Carlson made a motion to approve the Public Hearing Meeting Minutes for 307 Lancaster Street (Bethlehem Bible Church) dated June 28, 2017; Mr. Rajeshkumar seconded; all voted in favor; motion approved. Ms. Carlson made a motion to approve the Regular Meeting Minutes dated June 28, 2017; Mr. Rajeshkumar seconded; all voted in favor; motion approved.

Mr. Anderson made a motion to adjourn; Mr. Frieden seconded; all voted in favor; motion approved. The meeting was adjourned at 9:02 p.m.

Date Accepted: _____

By: _____
Paul Anderson, Clerk

Submitted by: _____
Melanie Rich