



MEETING MINUTES
September 13, 2017

Members Present: Vincent Vignaly (Chair), Marc Frieden, Cheryl Carlson, Paul Anderson, Barur Rajeshkumar (8:21 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 7:07 p.m.

Public Hearing Continued (307 Lancaster Street, Bethlehem Bible Church) – Goddard Consulting on behalf of Bethlehem Bible Church requested a continuance to the next scheduled Planning Board meeting to address comments/questions from the Town's Review Engineer, VHB. Because it has been continued several times and abutters received notification months ago, the possibility of Mr. Goddard withdrawing without prejudice was discussed, but they would have to make that request. Mr. Vignaly sent an email asking them to withdraw, but never received an answer. The board feels the abutters are no longer aware of what is taking place. Ms. Carlson made a motion to continue the Public Hearing to October 25, 2017 at 7:00 p.m. and request the applicant to renotify the abutters; Mr. Frieden seconded; all voted in favor; motion approved.

Update on Building Inspector Review of Zoning Violations – The Building Inspector visited some of the project sites as well as sent letters requesting as-built plans from the following: 21 Franklin Street, 99 Hartwell Street and 1000 Goodale Street. 21 Franklin Street and Wachusett Plaza did submit as-built plans which will be forwarded to VHB for final review. Flagg RV was notified that a Site Plan Review is needed. Progress is being made.

New Business and Review of Correspondence/Emails Received:

1. 151 Shrewsbury Street SPR (Building Change) – Rob Fuller showed the design change on the Architectural and Site plans. Originally there was one large building. He reduced the building size to less than half and added two smaller non-climate control units. The grading is the same and there is less impervious area. He explained the traffic change in the area where he added an "exit only" to eliminate congestion. The board recommended that he contact the Fire Chief regarding the access. Mr. Frieden made a motion that the change was non-substantial and can be reflected on the as-built plan; Ms. Carlson seconded; all voted in favor; motion approved.
2. Warrant Articles for the October Town Meeting – After discussions at the last meeting regarding Section 5.2 (f) "Off Street Parking", and receiving no information from the Building Inspector, it appeared it was not a priority issue and the board decided not to move forward with a warrant article. The Town Administrator contacted Mr. Vignaly and said it was an issue for the town because substantial money was spent on court costs and she would like it addressed. Ms. Scheiper

provided a draft article for the board to review which reduces the gross vehicle weight of commercial vehicles that can be parked overnight in a residential neighborhood from 18,000 lbs. to 12,000 lbs. There was discussion as to the interpretation of the language. The intent needs to be clear. Mr. Anderson will compose the revised wording to be clear. A public hearing will be scheduled for 7:00 p.m. on October 11th.

Mr. Frieden reviewed the requested change to the Digital Sign Bylaw to allow still images. A public hearing will be scheduled at 7:05 p.m. on October 11th to address Section 5.6 “Signs and Billboards” and the elimination of item “v. TEXT ONLY” from Section D.3)1)e. “Changeable Copy Signs”.

Inquiry – Mr. Vignaly responded to a call about a single residence property that is an undersized lot and doesn’t meet the minimum area requirement of 40,000-square feet. They want to sell most of the property except for a small portion (3,000 square feet) in the back. Mr. Vignaly replied that it was a zoning issue and it would be the Building Inspector who would make the determination. Mr. Vignaly was not sure if they could make an existing non-conforming lot more non-conforming without getting a permit from the ZBA. The board reviewed Section 1.4.D which says that the Building Inspector can approve a change if it does not make the lot more non-conforming. If they come before the PB with an ANR plan to change the property lines, the board is required to sign the plan as long as it has adequate frontage and access; but this does not grant any zoning compliance waivers.

Briarwood Community Senior Living Campus Expansion (Abutter Notification) – John Gelcich had questions on the abutter notification. He asked if he had to notify abutters in both West Boylston and Worcester, did he have to notify all individual abutters of the property in Worcester or just the condo association, and did he have to notify abutters by certified mail. Chapter 40A does not require abutters to be notified by certified mail, it only requires notification to go out “by mail, postage paid”, but if an abutter comes in and there is no proof that he was notified, the public hearing would have to be rescheduled. The board will inform Mr. Gelcich that he should notify the condo association and only those units that are within the 100’ affected area for the Worcester notifications.

The email from T-Mobile regarding the addition of a generator will be forwarded to the Building Inspector.

Mr. Vignaly and Mr. Frieden will attend the training session on Public & Private Ways: Navigating Your Way Through The Laws On Highways and Bylaws and Municipal Duties & Liabilities on September 26th at 6:30 p.m.

Mr. Frieden will draft a comment letter for the next meeting in response to the ZBA Petition for a Special Permit to conduct a home occupation (antiques and memorabilia sales) at 22 Lee Street.

Reports from Other Boards – Mr. Anderson said Rich Rydent (CMRPC) was present at the Transportation Committee meeting and talked about the Route 140 corridor study. They have some very detailed information about the “triangle” (the Route 12, Route 140, and Franklin Street area). They talked about funding and how to get MassDOT involved and how we can get improvements done. If projects are proposed now under the Transportation Improvement Program (TIP), they could be done by 2023. He provided the members with information and data. Mr. Vignaly asked that the traffic study and specific recommendations for the “triangle” (the highest accident locations in town) be reviewed before other corridor recommendations are implemented so that work is not wasted. The

roads need to be improved for the safety of vehicles, bicycles and walkers. There will be more discussion at the next Transportation Committee meeting.

Ms. Carlson said the Community Preservation Committee met and approved the request, not to exceed \$25,000, to continue to fund the Community Housing Specialist contract.

Mr. Frieden said the Affordable Housing Trust met and the financial review of Afra Terrace is near completion. Any profit above what is allowed will go to the town. There could be a problem with the property for the Maple Street Orchard Knoll housing complex. The proposed project may have to be on a separate lot and, if so, there would not be adequate frontage for two lots. 92 North Main Street (Sadja Gardens) is progressing.

Dave Femia said Sadja Gardens (92 North Main Street) was not on the SHI list. It has since been corrected and is now included. The town received notification that it went from 5.71% to 8.17%; within 2% of the 10% state goal.

Mr. Rajeshkumar said FISP met and the Police Station is ahead of schedule and under budget. The move is anticipated in late October. The Senior Center floor plan is being reviewed and the architect is working on the elevation drawings.

Citizens' Comments – Dave Femia commented (as a private citizen) that he lives in the condo next to former motel. He was approached by a trustee who asked if there could be a meeting with the Planning Board, Condo Association and the Developer to find out their plans. He was told that that was the point of the public hearings during the Site Plan Review. At this time, he should start with the Building Inspector first. The PB monitors work during construction. Mr. Femia also commented that the condo complex would lose part of their property according to the survey that was done. He was advised to review the approved Site Plan and talk to Mr. Herget.

Cheryl Carlson commented (as a private citizen) on the activities on the border of the property at 94 North Main Street. The developer continues to park vehicles along the fence to where the apartments are below. He converted a home into multiple apartments. The neighbors have concerns with people coming and going and the parking of vehicles; who should they file a complaint with. Mr. Vignaly said it is a single residence district. The business is not allowed unless he has a home occupation permit with the ZBA, and the apartments are not allowed. The Building Inspector needs to get involved.

Dave Femia said there were complaints about the stormwater runoff from 92 North Main Street flooding into 85 North Main Street that continued to 83 North Main Street. The town put in an apron at the end of the driveway and extended the berm towards the mailbox which should keep the water in the roadway. The ZBA needs to have consistent reviews by their inspection monitor, especially at this time of year to button things up for the winter.

Invoices were approved for payment. Ms. Carlson made a motion to approve the August 23, 2017 Regular Meeting Minutes; Mr. Rajeshkumar seconded; all voted in favor; motion approved.

Mr. Rajeshkumar made a motion to adjourn; Mr. Anderson seconded; all voted in favor; motion approved. The meeting was adjourned at 9:13 p.m.

Planning Board Meeting Minutes – September 13, 2017

Date Accepted: _____

By: _____
Paul Anderson, Clerk

Submitted by: _____
Melanie Rich