



**MEETING MINUTES**  
**February 28, 2018**

Members Present: Vincent Vignaly (Chair), Marc Frieden, Cheryl Carlson, Paul Anderson,

Members Absent: Barur Rajeshkumar

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 regular meeting began at 7:05 p.m.

Review Draft Approval Letter for the Senior Center and Sign – Mr. Vignaly said the board voted to approve the Site Plan Review at the public hearing but overlooked voting on the Stormwater Management Plan though it was reviewed in detail and the board had no issues.

There was discussion about revising the Planning Board application since Site Plan Review can be for standard Site Plan Review, Site Plan Review for Special Permits, or for a Special Permit when the board is the granting authority under Zoning. Checkboxes can be added so the board knows what is being applied for at the time of submission.

Ms. Carlson made a motion to approve the Stormwater Management Plan for the West Boylston Senior Center; Mr. Frieden seconded; all voted in favor; motion approved. The approval letter was signed and will be forwarded to the Town Clerk and John MacMillan (Caolo & Bieniek Associates).

Comprehensive Master Plan (Land Use Chapter Update) – Ms. Carlson said the Town Wide Planning Committee (TWPC) will be meeting on March 6<sup>th</sup> to discuss feedback from the public forum and the next steps for the draft chapters. She will be unable to attend. Mr. Rajeshkumar will be asked to attend if Mr. Vignaly cannot be there.

**New Business/Review of Correspondence/Emails:**

ANR Plan (Lot 53 Century Drive) St. Pierre Associates – The plan was not received, and no representative was present.

Reports from Other Boards – Mr. Anderson said the Transportation Committee will be meeting March 8<sup>th</sup>. Funding was received for Complete Streets listed projects. Mr. Vignaly asked what the Crescent Street sidewalks project was. Mr. Anderson will check. Mr. Vignaly asked how project priorities are determined and would like to see Goodale Street sidewalks and those within a mile of the schools be a priority. Mr. Anderson will check on this also as well as the status of the traffic evaluation for the triangle (Route 12, Route 140 and Franklin Street).

Mr. Vignaly said the next Permitting Chairs' meeting will be held March 21<sup>st</sup>.

Mr. Frieden was asked the status of the letter he was to send to Mr. Surabian since September. He said he will send it before the next meeting.

Citizens' Comments – The board discussed the 92 North Main Street sign. Mr. Anderson was told by Mr. Rajeshkumar that it is a 40B project. Mr. Vignaly said if it is not specifically allowed in the ZBA permit that Mr. Ali is allowed to have a non-compliant sign in a Single Residence District or it was not waived by the ZBA, he must follow all the standards and the current large lighted sign should be removed. Mr. Anderson said it is too large, too bright and very close to the road. Ms. Carlson said the brightness disturbs the neighbors. She will prepare a list of signs that are in violation and forward it to the Building Inspector for his action.

68 & 70 Newton Street – An email was received from Sheryl Keddy for the Building Inspector who is questioning the Planning Board's granting an approval for the separation of the two buildings into two separate lots. Mr. Vignaly read from the minutes of June 10, 2015 which stated that at that meeting, "Ron Thunberg, John Toomey and their attorney were present. The following information was submitted: (1) Board of Assessors Report 1949 noting that the studio existed; (2) email from the Building Inspector dated March 30, 2012; (3) property cards; (4) letter from Building Inspector dated May 29, 2012; Variance Petition of Robert J. Bird & Lynn M. Bird dated January 27, 1988; and (6) Findings of Zoning Board of Appeals dated October 2, 2012. The applicant is dividing the parcel into two lots under State Law 81-L."

Mr. Vignaly referenced portions of the ANR Handbook that applied to 81-L exemption which says that the division of a tract of land on which two or more buildings were standing when the Subdivision Control Law went into effect shall not constitute a subdivision. According to that, the board was required to sign the ANR; it was done according to the state law. Mr. Frieden recalled that the attorney and the owner only wanted to make it so they could use both as habitable dwellings.

The minutes further read that "there was discussion as to the nature of the buildings; their attorney submitted a letter from Kopelman & Paige dated June 11, 2007. Mr. Toomey said there are two existing dwellings. In 1949 it was listed as a studio. There are no changes proposed. Mr. Thunberg said the board is only endorsing that it is one lot being divided into two, and that it does not require subdivision approval. After further discussion and the board being satisfied, Mr. Vignaly made a motion to endorse the Plan of Land in West Boylston MA owned by 68 Newton Street, LLC; Assessors Reference is Map 143, Lot 31, dated May 19, 2015; Mr. Rajeshkumar seconded the motion; all voted in favor; motion approved."

Clearly noted on all ANR plans that the board endorses is the following language: "*No determination as to compliance with zoning requirements has been made or intended by the Planning Board's endorsement of this plan*". The lots contain violations of zoning. Mr. Vignaly said per the ANR Handbook, signing an 81-L does not transfer the protected status as a non-conforming structure to the new lots. Mr. Vignaly will respond to the email.

There were no invoices for approval tonight. Ms. Carlson made a motion to approve the February 9, 2018 Special Meeting Minutes; Mr. Frieden seconded; all voted in favor; motion approved. Ms. Carlson made a motion to approve the February 14, 2018 Regular Meeting Minutes; Mr. Anderson seconded; all voted in favor; motion approved. Ms. Carlson made a motion to approve the February 14, 2018 Senior Center Public Hearing Minutes; Mr. Frieden seconded; all voted in favor; motion approved.

March 14, 2018 at 7:00 p.m. was confirmed at the next meeting date and time.

Ms. Carlson made a motion to adjourn; Mr. Frieden seconded; all voted in favor; motion approved. The meeting was adjourned at 7:54 p.m.

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

By: \_\_\_\_\_

Paul Anderson, Clerk

Submitted by: \_\_\_\_\_

Melanie Rich