



## **MEETING MINUTES**

### **August 8, 2018**

Members Present: Paul Anderson (Chair), Vincent Vignaly, Marc Frieden, Barur Rajeshkumar

Members Absent: Sarah Miles

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 meeting at 7:02 p.m.

Residents from Nuha Circle attended to express their concerns. Vanessa Kuzmanovski (6 Nuha Circle) said the sidewalks are two feet off the ground in front of her house and close to her lawn (16 inches). Wayne Amico (VHB) commented that the base is in; there is no asphalt berm yet. He will contact the developer and follow up to check for compliance. Ms. Kuzmanovski was also told by the Water Department that the sidewalk is covering the main water shutoff valve to her house. Mr. Amico explained that the Water Department can raise up the shaft. She was told that the project is still under construction and that before a bond will be released, the Water Department and the board's engineer (VHB) will have to be satisfied that it is in compliance. Ms. Kuzmanovski said there are old telephone poles rotting in her yard; Mr. Amico will follow up with the developer.

Steven Leonardo (7 Nuha Circle) said the water in most of the homes have a sulfuric smell. Crescent Builders had water testing done. The bacteria is within EPA limits but is high. He did a water assessment and it was confirmed that it is hydrogen sulfate. Mr. Rajeshkumar said the water comes from the well at Oakdale which does have a sulfuric odor. Mr. Leonardo was advised to discuss the issue with the Water Department before the project is completed. Mr. Amico was confident that the installation was done to industry standards; it sounds like it could be a water distribution problem.

Josiah Sansone (2 Nuha Circle) said there are only two lights on the street and none at the Prescott Street intersection. It was explained that the location of the lights is noted in the Planning Board approval, but it is up to the Municipal Light Plant as to where they are placed. Mr. Sansone was told to discuss the issue with the General Manager, Jonathan Fitch. There may be a process to put in additional lighting. Mr. Sansone also said the sidewalks are beginning to crack and grass is growing through it. Mr. Amico explained the process and said when all the sidewalks, curbing and topcoat on the road is done, it will be inspected. If they find that it is substandard, the developer will have to bring it into compliance before his bond will be released. Mr. Sansone asked if they could get "Slow Children at Play" signs. Mr. Rajeshkumar said that was a topic at the Transportation Committee meeting; it is being considered, but more information is needed, and a recommendation is also needed from the Police Department. Mr. Sansone said they are planting trees on his property and wanted to know if they could be moved. He was told he would need to work with the developer on that. The Planning Board has a general requirement for shade trees, but not for detailed placement.

The board moved to discuss the 7:30 p.m. Emuge Corporation Public Hearing and resumed the regular meeting at 7:55 p.m. following the public hearing.

Emuge Corporation (Vote on Waiver Request and Certificate of Site Plan Approval and Stormwater Management Approval) – Mr. Vignaly made a motion to approve the Waiver Request from Section 3.6.D.1.m regarding information pertaining to traffic flow and volumes. Emuge, Inc. has been operating at the site for over ten years without any issues in regard to on-site and/or off-site traffic, and the proposed building addition will not create any adverse traffic effects. Mr. Rajeshkumar seconded; all voted in favor; motion approved. Mr. Rajeshkumar made a motion to issue a Certificate of Site Plan Review Approval and Stormwater Management Approval for Emuge Corporation, 1800 Century Drive; Mr. Frieden seconded; all voted in favor; motion approved.

Mr. Amico gave construction updates on the following projects: 127 Hartwell Street, Girl Scouts (115 Century Drive), Nuha Circle, 137 Shrewsbury Street and Briarwood.

Briarwood CCRC – Sign Site Plan Review Approved Plans – The board signed the Briarwood Continuing Care Retirement Community Plans since no appeals have been received from the Town Clerk.

Recommend Certificate of Compliance for West Boylston Light Department Solar Project – The plans received were the final design for the electrical layout. The board needs the revised Site Plan as-built plans. Jonathan Fitch will be informed, and it will be on the September 12<sup>th</sup> agenda.

Review Draft Letter to Paul Conger (242 Woodland Street) regarding SPR Compliance – Mr. Frieden will forward it to the members for review before the next meeting.

Village Center Zoning Update – The draft was discussed in-depth for the upcoming public forum on August 21<sup>st</sup> at 7PM.

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

Special Permit/Site Plan Application (Shrine Avenue) – Andy Baum informed the office that he was not ready to submit the application tonight but will be submitting the SP/SPR application in September.

90 Sterling Street (discuss abutter right-of-way changes) – Tim Brown and Dennis Bulger (Pine Brook Estates) were present. The issue is that the Approved Site Plan depicts the driveway access from Route 12 as being blocked with no access through Route 110. Mr. Amico had the last submittal (not the signed copy) and showed where the proposed cut-off access was to be saw-cut. The plan reads that “Pine Brook Estates responsible to modify or remove pavement if desired.” Mr. Amico said it appears that it was built in accordance with what was approved and discussed at the public hearing. Mr. Brown said it was close. There is no access from Sterling Street (Route 12) to the Pine Brook condos. Mr. Vignaly said that at the public hearing for the Site Plan Review, blocking the access was discussed and agreed to by all the people who attended. From what was submitted at the last meeting, Pine Brook condos has a deeded right-of-way on the 90 Sterling Street property to have access, so they could not close it if Pine Brook condos did not agree. Mr. Vignaly asked if the Pine Brook Condo Association had signed off on their right to access; Mr. Brown said no. The Pine Brook condos would have to talk to the owners and let them know you want access from Sterling Street. Mr. Brown said Big Daddy has

agreed to make the 6” curb act as a speed bump at the location where it cuts across the driveway which is agreeable to them. They want access and do not have an issue how it is done. Mr. Amico recalled that at the hearing, the right-of-way was not discussed but people were concerned with cut-through traffic. Mr. Brown said they have since changed their position on their access. At one of the original meetings they said (before anything was decided on) that they did have an issue with cut-through traffic. He said they were never approached as to how that was going to be done, nor did they look at the plans. Mr. Anderson summarized that a revised plan is needed to be submitted to the board that shows who owns what and where, and defines what was agreeable to both parties so this can be settled. The Building Department has issued 9 Temporary Occupancy Permits. The matter needs to be addressed before more Occupancy Permits are issued. Mr. Amico asked if they would provide a copy of easement to the board; Mr. Brown said he will. He also suggested possibly eliminating the stop, doing a small realignment and adding a few speed bumps so the access is inconvenient and not a direct cut-through. Mr. Brown was told that the board needs to see a plan that is agreeable to both parties. Mr. Brown asked if the board had any issues with the road. He was told the board approved a plan and that plan is now creating an issue. Big Daddy needs to come in and let the board know that he talked to the people who own the right-of-way and all parties agree. The board will want to see that it is safe. It will be reviewed, and that plan will become either the acceptable amended plan or may need a hearing if there are significant questions. It must satisfy fire and police vehicles. Mr. Bulger said there is a 6” curbing in front of the walkways which blocks the road. He was told to include all the changes they have issues with on the plan. Mr. Amico recommended that the board require an amended site plan and open the public hearing again because there were people that were adamant that the access did not go through. Mr. Brown will notify the association owners. Big Daddy needs to be informed not to install finish pavement at the project until the issues are resolved; Mr. Brown will do that. Mr. Amico also wanted to make the board aware that the sight distance needs to be analyzed; he showed photos taken today from the driveway showing you cannot see in either direction; the units are occupied which is a concern. VHB’s engineer will ask Big Daddy’s engineer to check it and make corrections to make sure it works.

Reports from Other Boards – Mr. Rajeshkumar, Mr. Frieden and Mr. Anderson attended the Marijuana Study Subcommittee and said a Public Forum to review proposed adult use marijuana bylaws has been scheduled for Tuesday, August 14<sup>th</sup> at 7PM. Mr. Rajeshkumar felt there should be three articles on the warrant for (1) growers, (2) retail stores, and (3) social clubs, along with three bylaws. The residents can vote, and the bylaws created dependent on the vote. Mr. Anderson felt it was a good idea, but it would be complicated. The Town of Barre recently banned retail stores but approved growers. Mr. Anderson will contact them to see how they proceeded. The Selectmen need to vote to refer some bylaws to the Planning Board. The Planning Board is not writing these bylaws; they will simply present it through the required Public Hearing.

Mr. Anderson said Rich Rydant (Transportation Project Manager) will be present at the next Transportation Committee meeting to discuss the traffic count and proposed triangle (Route 12/140/Franklin Street). Mr. Rajeshkumar said they will apply for a TIP grant for that project. Sidewalks are needed on Route 12, but it will need to be evaluated. Mr. Rydant will be informed of it at that meeting.

Mr. Rajeshkumar said the Selectmen approved Dan Hill as the Special Counsel for the Affordable Housing Trust.

Citizens' Comments – Dave Femia asked about the ANR plan that was approved by the board for 166 Temple Street. The owner wants to have access on Pierce Street and cannot. Mr. Femia was told that the plan submitted to the board and was approved had the access moved to Temple Street. That is what the owner requested.

Invoices were approved for payment. Mr. Vignaly made a motion to approve the draft July 11, 2018 Regular Meeting Minutes and draft Emuge Corporation Public Hearing Meeting Minutes; Mr. Rajeshkumar seconded; all voted in favor; motion approved.

Members were reminded of the Village Center District Workshop on August 21<sup>st</sup> at 7PM.

September 12, 2018 at 7:00 p.m. was confirmed as the next regular meeting date and time.

Mr. Rajeshkumar made a motion to adjourn; Mr. Frieden seconded; all voted in favor; motion approved. The meeting was adjourned at 9:57 p.m.

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

By: \_\_\_\_\_  
Vincent Vignaly, Clerk

Submitted by: \_\_\_\_\_  
Melanie Rich