



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

MEETING MINUTES
October 24, 2018

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

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 meeting at 7:30 p.m.

Citizens' Comments – None tonight.

Old Business:

Flagg RV Site Plan Review – Review Draft Site Plan Review Approval Letter – Mr. Vignaly spoke with the engineer (Doug Andrysick). They are working on the stormwater certification that was requested. Mr. Anderson will prepare the draft approval letter in anticipation of receiving the information by the next meeting.

Nuha Circle Bond Update – The board is still waiting for Mr. Ali to provide the amended agreement reducing his bond.

There was an issue on Nuha Circle regarding the placement of granite bound locations. VHB reviewed the current site conditions relative to placement of three granite bound locations. Two were within an inch± of the edge of sidewalk, the third was 15” into the sidewalk to the center of the bound which is a concern. The applicant will be asking for town acceptance of the roadway. If the town is going to accept the road, it should have a sidewalk in the right-of-way. There was discussion as to whether an easement is needed on private property, or should the sidewalk be relocated (which is expensive for the developer). Mr. Anderson will contact Mr. Ali and ask that he provide the board with alternatives that are acceptable, and the board will decide how to remedy the situation.

Village Center Zoning Update – Mr. Frieden will contact CMRPC and ask for updated maps as well as revisions to the draft bylaw wording that reflect the comments from all the public forums that were held.

Review Holy Cross Contemplative Center As-Built Plans – VHB did an inspection on October 3rd and noted the following in their report: “At the time of this inspection, an event must have been occurring as every space in the parking lot was full. Additional vehicles were parked on abutting pieces of grassed areas, along a dirt road off the edge of the parking lot between the inlet drain line and the edge of the parking lot. I also noted that 1- 2 vehicles were parked in the upper circle are in what appears as handicap spaces. And two additional vehicles were parked near what appears to be a loading dock area. A total of 10 additional vehicles were parked around the lower parking lot in the grass and along the drive.” Their 6/25/2014 SPR approval states that “twenty-two parking spaces will be created on site

including two handicap spaces; these totals are in excess of the required number for a ‘place of assembly’ use, as determined by the Building Inspector.” There was also the condition that “the Approved Site Plan depicts a maximum of twenty-two parking spaces at the site. Parking for more than this number of vehicles will require the applicant to submit an Amended Site Plan Review application.” The parking lot that was agreed to does not appear to be working appropriately. The board was told that they were going to have vans transport attendees to events. If the board approved a Site Plan Review with commitment and it is not being followed, and they haven’t received their Certificate of Completion, what is the board’s next step? It was discussed involving the Town Administrator who could ask Town Counsel what happens in such a case. The parking for this size building is about 60 parking spaces. The board reduced that because they said they would not need anywhere near 22 parking spaces, but now we see they had 30± parked vehicles. Mr. Anderson will contact the person who prepared the as-built plans and ask that they come before the board with an explanation.

Police Station Closeout Update – The board received a letter from the FISP Chair (John Hadley) saying that “since the fence is not located on the town parcel, it is not applicable to have the fence be shown on the as-builts for the town project.” He is requesting that “the Planning Board acknowledge the completion of the police station project per the conditions of the site plan review process, and that your board recommend to the Interim Building Commissioner to issue a Certificate of completion for this project.”

There was a condition of the SPR approval for screening, and it should be shown on the as-built plan because it was included in the SPR approval. The as-built plans were done before the fence was built. Chris Rucho said it was not part of the project; the fence is on the abutting resident’s land and it is their fence now. Mr. Vignaly asked Mr. Rucho how could it not be part of the project when it was in the approval. The SPR as-built plan is supposed to show what has been approved and what was proposed and constructed on the site; a fence was part of that and should be included in the SPR as-built plan. Mr. Rucho will discuss it at the next FISP meeting.

New Business/Review of Correspondence/Emails:

Site Plan Review – Shrine Avenue (Accept Application and Set Public Hearing Date) – No application was submitted tonight.

ANR Plan (Bradford Shaw) 339 Maple Street – Not submitted tonight.

90 Sterling Street Update – Craig Wambolt (Big Daddy) said they came to an agreement months ago with Pine Brook Estates that when the final topcoat is being done they will create a berm that does not compromise the drainage and allows the structures to continue to work but will allow a safe passage. He said they have reviewed it with the Fire Department and the Fire Department had no issues.

Mr. Wambolt met with VHB regarding the fence and line of sight coming out of Sterling Street; he said the fence was fine, and the vehicles were removed. Mr. Vignaly received a call from MassDOT regarding the change to the drainage line. Mr. Wambolt said they have met with MassDOT and are still working on a resolution. Regarding the guardrail, they will correct that with the final pavement. Mr. Vignaly asked if the board could receive a sketch of what was agreed upon and the dimensions of the berm with the approved driveway since the approved plan shows the road being closed off. The board does not require a stamped engineered plan but would like a copy for VHB inspections so they know

what was agreed to by the Planning Board. Mr. Wambolt said he did not want to go through the expense with an engineer but will provide photos post-install.

Project Review Engineering Services – The board received an email from the Town Administrator that the Board of Selectmen discussed the potential of requiring that the town go out to bid for project review engineering services. It will be discussed further at the BOS 11/7 meeting. VHB expenses incurred over many years were sent to Chris Rucho. Mr. Vignaly asked him if there were any specifics that the BOS wanted to talk about that were problematic or why is it being considered. Mr. Rucho said he didn't believe there were any issues with the information they received. Mr. Vignaly asked if there were any specific charges that looked out of character or improper; he said it is hard to follow. Mr. Rucho said the BOS goes out to bid for all types of different things and have never gone out for engineering services. Mr. Vignaly said the Planning Board followed this process but not recently. Some BOS members suggested giving an option to contractors to have a couple different companies to choose from. Mr. Vignaly asked if there is any other boards or committees in town that do that, giving options to somebody for services, since usually it is the board or the reviewer who decides who they want. Mr. Rucho could not say at this time. He was just saying what came out of the BOS meeting. Mr. Vignaly said in preparation for that meeting, those are going to be the questions he will want answered. Mr. Rucho said send any questions to the Town Administrator and she will forward them to the Selectmen. Mr. Vignaly said he is asking him, he is the Chairman. Ms. Miles asked if we had standards for a bid process or review of bid processes. Mr. Vignaly asked Dave Femia (ZBA member) when the last time they went out to bid. Mr. Femia said VHB is their engineer. Mr. Rajeshkumar said VHB has been with the PB for many years. We won't know without bidding if there is someone less expensive. VHB has not had an increase in price since the date of the current contract with the Planning Board (about 2004). If we go out to bid, the rates will be higher. Mr. Rajeshkumar said the cost is based on the project; some require more plan revisions and inspections than others. Mr. Vignaly would like to see any example where a town board gives the option of who to use to applicants. He said he is fine going out to bid; if they don't get VHB that would be fine, but the board will want to have comparable services and comparable experience.

Reports from Other Boards:

Mr. Frieden said the Affordable Housing Trust met. They will be meeting with their new attorney and will discuss options before proceeding with the Orchard Knoll/Maple Street project.

Chris Rucho asked if the Planning Board had reviewed/updated the zoning violations list recently for the Permitting Board Chairs meeting. The board has not; it will be on the next agenda for discussion.

The water storage tank to be replaced in Boylston was discussed since it is located within the Town of West Boylston's town limits. It is considered a municipal use. The existing 300,000-gallon tank will be replaced in kind approximately 25-feet east of the existing water tank. Chris Olson (ZBA Chair) felt the use was allowed as a Municipal Use and deferred to the Building Inspector for a determination after reviewing the Schedule of Use. Mr. Vignaly agreed with Mr. Olson's review, but did not have enough details to know if other conditions triggered SPR.

Mr. Anderson said the next step now that the Marijuana Bylaws have passed will be dealing with applicants for cultivation and retail establishments. The Marijuana Study Subcommittee met with Matt Rice (Safe N Secure Self Storage) who is interested in having both, cultivation (on a parcel of land on Hartwell Street) and a retail establishment business. They would construct the building(s) and sell the

property to an operator. The PB would be concerned with the change of use if it was permitted as a typical “retail” building, then was changed to be a marijuana retail store; it may require SPR; parking would have to be specific to the use. Mr. Anderson also spoke with a gentleman who is interested in renting 213 Shrewsbury Street for cultivation.

Invoices were approved for payment. Mr. Vignaly made a motion to approve the draft October 10, 2018 Regular Meeting Minutes, Flagg RV Public Hearing Minutes, and September 24, 2018 Adult Use Marijuana Public Hearing Minutes; Ms. Miles seconded; all voted in favor; motion approved.

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

An informational ZBA petition for 239 and 241 Woodland Street was received today and briefly discussed. The board will provide comments for the ZBA at the next meeting.

Mr. Rajeshkumar made a motion to adjourn; Ms. Miles seconded; all voted in favor; motion approved. The meeting was adjourned at 8:55 p.m.

Date Accepted: _____

By: _____
Vincent P. Vignaly, Clerk

Submitted by: _____
Melanie Rich