



**TOWN OF WEST BOYLSTON PLANNING BOARD** [planningboard@westboylston-ma.gov](mailto:planningboard@westboylston-ma.gov)  
140 Worcester Street \*\* West Boylston MA 01583 \*\* Phone 774-261-4073

## **MEETING MINUTES**

### **December 12, 2018**

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

Members Absent: Sarah Miles, 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 Chair opened the meeting at 7:00 p.m.

Citizens' Comments – Dave Femia (ZBA) commented that the zoning bylaws need to be reviewed and revised. He was told that the Planning Board in April 2017 sent a letter to all departments/boards asking for input for substantive changes the board was considering and never received feedback from any department/board. Mr. Anderson told him that input is needed from the ZBA.

#### **Old Business:**

Nuha Circle Fence Update – An email was received from the neighbors unanimously voting against having a fence around the stormwater basin. The detention pond is not steep enough to require a fence and a fence is not included on the approved plan. Mr. Anderson will contact Mr. Ali informing him that he is not required to provide a fence.

Emuge (1800 Century Drive) Review Draft Letter regarding the Modification to the Site Plan – Mr. Anderson will draft a letter for the next meeting.

Flagg RV Site Plan Review – Review Draft Site Plan Review Approval Letter – The engineer (Doug Andrysick) emailed the board today stating that Joe Peznola will be designing a stormwater device for the new roof and adjacent pavement to meet the DEP stormwater standards, but it is not finished yet. Since it is a condition in the approval letter, Mr. Frieden made a motion to sign the Site Plan Review and Stormwater Management Permit for Flagg RV (66, 76, 67 and 84 West Boylston Street); Mr. Vignaly seconded; all voted in favor; motion approved. The approved plans will be signed at the next meeting.

Village Center Zoning Update – Eli Goldman remains on the project and is awaiting comments from the board. Mr. Anderson will follow up.

Review Holy Cross Contemplative Center As-Built Plans – Mr. Anderson emailed Peter Caruso (Lamoureux-Pagano) regarding the parking of more vehicles than were promised during the Site Plan Review hearings, but has not yet received a response.

Police Station Closeout Update – The board received a letter from Butch Jackson (DPW Director) regarding the privacy fence behind the homes at 1, 7 & 11 Horseshoe Drive. It will be placed in the file.

Outside Consultants Policy/Fees Schedule – The board received an email from the Town Administrator which stated “that according to town counsel’s confirmation that we must have a contract with VHB, or any future engineering firm, for any procurement of service valued over \$10,000. The contract cannot exceed 3 years in length without a town meeting vote authoring a longer period.” Mr. Vignaly commented after reading Town Counsel’s response that it states “since this contract is for the services of a licensed engineer, G.L. c.30B, §1(b)(32A) provides that the contract is exempt from the requirements of G.L. c.30B.” Mr. Anderson will follow up with the Town Administrator.

The board will hold a public hearing on January 9<sup>th</sup> at 7:30 p.m. regarding the Fees Schedule changes.

Update List of Zoning Violations – The list of questions about violations was reviewed; Mr. Anderson will follow up with the Building Inspector.

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

Marijuana Subcommittee Process for Application Reviews Discussion – Mr. Anderson said a flow chart was discussed at the last Committee meeting that explains the process but nobody had a copy to review. Mr. Vignaly is concerned with parking requirements and at what point does the Planning Board become involved. Mr. Frieden said an application is submitted to the Board of Selectmen (after the state acknowledges if they have an application submitted) and it is reviewed by the BOS and the Marijuana Subcommittee. If approved, the applicant can schedule their community outreach forum. The Planning Board then becomes involved. The applicant can receive approval under Site Plan Review, but they cannot operate unless they are licensed. Mr. Frieden said the Community Host Agreement is an agreement between the applicant and the town Selectmen that is required for the state to start doing their licensing. The Planning Board does not get involved until after that happens. Mr. Vignaly asked if parking could be established in the Community Host Agreement because the current parking requirements in the Zoning Bylaws are 30-years old and do not reflect this type of use; Mr. Frieden was not sure.

Rob Fuller Hartwell Street Property to Discuss Industrial Commercial Frontage – Patrick McCarty and Robert Fuller were present to discuss a proposed project south of Hartwell Street. Mr. Fuller owns the parcel of land east of the railroad tracks and across from the American Legion home. The approximate 16.5-acre parcel runs parallel to the railroad tracks. He would like to build two industrial buildings (50,000 square feet and 56,000 square feet). They could request a Special Permit for an industrial park that would allow two buildings on one lot serviced by a common driveway. The difficulty is that they could sell the individual buildings to two individual corporations but the land would have to be held in common ownership, which would not be attractive to a potential buyer. There is 286-feet of continuous frontage, at that point the frontage is broken by the railroad bridge (which the railroad owns), and then the frontage continues to Shrewsbury Street. They have submitted the Master Plan to DCR and MEPA and now need detailed site plans. The issue is the ownership. They are short 14-feet of frontage to have two lots. Mr. McCarty thought potentially a variance could be granted; the design or use is

not going to change, it is the irregular lot shape that is the issue. Mr. Vignaly said they would have to request a variance from the ZBA. Mr. McCarty would appreciate the Planning Board commenting favorably to the ZBA since it makes sense for this particular lot, would not set a precedent, and is consistent with the spirit of the zoning ordinance.

Site Plan Review Application (Shrewsbury & Hartwell Street) RJF Commercial Properties (accept application and set public hearing date) – The Site Plan Review application was accepted by the board and a public hearing was scheduled for January 23, 2019 at 7:00 p.m.

Site Plan Review/Special Permit Application (Shrine Avenue) Joe Evangelista/David Brunelle (accept application and set public hearing date) – The Site Plan Review application was accepted by the board and a public hearing was scheduled for January 23, 2019 at 7:30 p.m.

Discuss Drafting of the Land Use and Zoning Chapter – The members had not reviewed it and were reminded to provide input to Mr. Vignaly. It will be discussed at the January 9<sup>th</sup> meeting.

### **Reports from Other Boards:**

Mr. Frieden said the Affordable Housing Trust met and continues to make progress with the Maple Street land.

Mr. Anderson said the Transportation Committee met. Plans to hold a public forum to discuss the center of town is put on hold. He said the opinion of the Transportation Committee is that the traffic light in the center of town is not a problem. Mr. Vignaly strongly disagreed with this and commented that traffic is backed up on Route 140 northbound for a half mile back to the railroad tracks in the evenings. Mr. Femia commented that traffic on Maple Street trying to enter onto Worcester Street between 4PM-6PM is also backed up. Due to the lack of funds, the Transportation Committee felt that a traffic light on Franklin Street would be good to accomplish. Mr. Vignaly said we need to hire a traffic engineer to analyze the whole triangle area as was proposed six years ago and get professional help; there is traffic data from CMRPC. Currently, Route 12 at Franklin Street is #1 for traffic accidents. Mr. Anderson said Franklin Street exceeded the danger limit for MassDOT; the center of town did not. He would like to continue to hold public forums for input.

Invoices were approved for payment. Mr. Vignaly made a motion to approve the draft November 14, 2018 regular Meeting Minutes; Mr. Frieden seconded; all voted in favor; motion approved.

January 9, 2019 at 7:00 p.m. was confirmed as the next regular meeting date and time.

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

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

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

Vincent P. Vignaly, Clerk

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

Melanie Rich