



MEETING MINUTES October 14, 2020

Members Remote: Marc Frieden, Vincent Vignaly, Sarah Miles, Barur Rajeshkumar

Members Absent: Paul Anderson (Chair)

Attendees Remote: George Tignor (Building Inspector); Wesley Flis (Whitman & Bingham)

Vice Chair Miles opened the remote meeting at 7:00 p.m. and announced that due to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, the meeting is being conducted via remote participation.

Citizen Comments – None tonight.

The regular meeting resumed at 8:10 p.m. following the public hearing for Kidoodles Child Care Center of Holden at about 275 Woodland Street.

Old Business:

Review Draft Approval Letter for 20 Holt Street and vote on Site Plan Review and Special Permit – Tabled to the next meeting; the proponent did not provide requested information in time.

New Business/Review of Correspondence/Emails:

ANR Plan (35, 33, 31 Westland Circle) – Iqbal Ali attended. The ANR is to transfer five feet of land along #31, #33 and #35, from 33 to 31 because the driveway on the eastern lot overlapped on the neighbors' property by about 2.5-feet. Having sufficient frontage and access, Mr. Frieden made a motion to endorse the ANR Plan of Land for 31, 33 and 35 Westland Circle Extension, West Boylston, for Crescent Builders, 94 N. Main Street, West Boylston dated 8/25/2020; Mr. Rajeshkumar seconded; roll call vote: Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Miles-yes; motion approved.

Nuha Circle Subdivision Approval Extension and Residents' Concerns – Ms. Miles said we've had several letters from residents about the issues that still remain. The pictures of the "fix" for the sidewalk were rough. Mr. Ali agreed it was not done right. Mr. Vignaly asked about the tree planting. Mr. Ali said the trees will be planted tomorrow. There were other questions about access. Ali said the board agreed to move the easement with the shed, and the other access is graded a little steeper than he wished, but he does not have any control over. Mr. Vignaly said he owns the easement. Mr. Ali said it is accessible; the board is waiting for confirmation of that from our engineer. The work is not going to be done in time for the December 30, 2020 extension. Mr. Ali will send the board a request to extend to the end of June 2021; there will be no bond reduction. Mr. Frieden said the HOA needs to be established as well.

Jacqueline Leonardo (7 Nuha Circle) said after four homes are sold there is supposed to be an HOA; they have never received anything from Mr. Ali. She asked what kind of trees will be planted; Mr. Ali said they are Maple trees. She said the sidewalk in front of 6 Nuha Circle is a danger. Mr. Vignaly told Mr. Ali to work together with the homeowners to get the issues addressed; Ms. Leonardo said he never responds. Vanessa Kuzmanovski (6 Nuha Circle) said the sidewalks are a concern and dangerous; there is 7” from the sidewalk the ground; when will it be fixed? Mr. Vignaly said if it is a safety issue, it needs to be addressed immediately. Ryan Leblanc (1 Nuha Circle) said the reason the sidewalk was cut with a concrete saw; it is very sharp. Josiah Sansone (2 Nuha Circle) said the sidewalk it is patchwork; there is no base layer; it will continue to deteriorate.

Ms. Kuzmanovski asked if the town could use the bond to fix it. Mr. Vignaly explained the process and said it is an extensive effort of time and resources to execute a bond. Mr. Rajeshkumar said the town has not yet accepted the road. If someone gets injured, Mr. Ali is responsible. The bond will be executed if the work is not completed by June 2021.

Mr. Ali said the binder for the sidewalks was done as they sold the houses; the finished work was done and is off by a 6”. He said it will be fixed and VHB will inspect it; he did not have a timeframe. The board will ask VHB to monitor it more frequently. Mr. Ali will not replace the entire sidewalk; only the portion that does not meet the standards. Mr. Vignaly said we will ask our engineer to evaluate it; the town does not want to accept something that is substandard. The Planning Board cannot say how it will be corrected, but that it has to be corrected. Ms. Kuzmanovski asked if she could be notified when the engineer is going out there. There is not an official Homeowners Association. Mr. Ali said it has been recorded, all he has to do is transfer it. Mr. Sansone said they know who the officers will be and are ready for the transfer when the work is completed. Mr. Frieden asked if the corner lots were included in the Homeowners Association. Mr. Leonardo said they have Nuha Circle addresses and face the road and should be. Mr. Vignaly said the first owner did not have access onto the private road but had their access off Prescott Street. They then changed the access to be off Nuha Circle but did not add them on the Homeowners Association. Mr. Ali said those lots were not included. He will provide the board with a copy of the Homeowners Association at the same time as he submits his request for an extension. The board asked that Town Counsel review the need to have #1 and #2 Nuha Circle added to the Homeowners Association since the drainage runs through #2.

Review Warrant for Town Meeting – Mr. Frieden asked for a vote of support for Article 5A “Vote to Appropriate Funds for Community Preservation fund Projects as recommended by the Community Preservation Committee”. Mr. Vignaly made a motion to recommend approval of the Affordable Housing Trust transfer for \$25,000 to the designated Affordable Housing Trust; Mr. Frieden seconded. After further discussion, a roll call vote was taken. Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Miles-yes; motion approved

Reports from Other Boards: None tonight.

There were no invoices for approval.

Mr. Rajeshkumar made a motion to approve the draft September 23, 2020 Regular Meeting Minutes, 20 Holt Street Public Hearing Site Plan Review and Special Permit Meeting Minutes, and 262 West Boylston Street (Dunkin Donuts) Public Hearing Meeting Minutes; Mr. Frieden

seconded; roll call vote: Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Miles-yes; motion approved.

Due to Veteran’s Day falling on the next regularly scheduled meeting night, the meeting will be held either November 10th or 12th. Melanie will check with the BOS Administrative Assistant to see if either of those dates are available and email the board members.

Mr. Rajeshkumar made a motion to adjourn; Mr. Frieden seconded; roll call vote: Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Miles-yes; motion approved.

The meeting was adjourned at 9:12 p.m.

Date Accepted: _____

By: _____
Vincent P. Vignaly, Clerk

Submitted by: _____
Melanie Rich