



## **MEETING MINUTES**

### **November 10, 2020**

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

Members Absent: None

Attendees Remote: George Tignor (Building Inspector); Igbal Ali; Mike Coveney (Water District); Mike Ohl & Scott Simpson (Comprehensive Environmental Incorporated)

The Chair 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.

#### **Old Business:**

Review Draft Approval Letter for 20 Holt Street and vote on Site Plan Review and Special Permit – Mr. Vignaly made a motion to approve a Certificate of Site Plan Approval, Special Permit, and Stormwater Management Plan for 20 Holt Street; Mr. Frieden seconded; roll call vote: Miles-yes; Rajeshkumar-yes; Frieden-yes; Vignaly-yes; Anderson-yes; motion approved.

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

William Murray (Places Associates) Request for Certificate of Completion for the Senior Center William Murray participated remotely. He submitted a letter dated October 5, 2020 outlining the changes that were made due to the general contractor's mistakes. Mr. Vignaly asked the status of Mixer field that still is not usable and has not been useable for over a year. Mr. Murray said they prepared an ANR to create a separate lot whose control was transferred to the Parks Commission from the Selectboard at the last town meeting to qualify for a state grant to renovate the field. He didn't know why it is not usable since it has been hydroseeded and leveled. Mr. Rajeshkumar said the field was not originally included in the Senior Center project. The FISP had input from the Parks Commission and accepted the condition of the field. Ms. Miles made a motion to recommend a Certificate of Completion for the Senior Center, 120 Prescott Street; Mr. Rajeshkumar seconded; roll call vote; Miles-yes; Rajeshkumar-yes; Frieden-yes; Vignaly-yes; Anderson-yes; motion approved.

Nuha Circle Subdivision Compliance Issues and Homeowners Association Update – The board's review engineer was going to meet with the developer and contractor, and will compile a list of action needed to address all remaining issues. Regarding the Homeowners Association, Mr. Ali said that he sent the paperwork to the board today, selected the members and is waiting for approval from town counsel relative to the wording and the process to add numbers 1 and 2

Nuha Circle to the Homeowners Association. The board has not heard back yet. Mr. Ali will report on the other items at the next meeting. Still outstanding is the need for Mr. Ali to request to extend the Definitive Subdivision approval, correct the business address and dates on the Performance Guarantee, and resolve the issues associated with adequate access on the easements (missing manholes, inaccessible cross slopes, and structures encroaching in the easement). Mr. Ali requested an extension of the Definitive Subdivision Approval. Mr. Frieden made a motion to extend the approval and approve the corrected Performance Agreement for Nuha Circle to June 30, 2021; Mr. Rajeshkumar seconded; roll call vote: Miles-yes; Rajeshkumar-yes; Frieden-yes; Vignaly-Abstained; Anderson-yes; motion approved.

Regarding the shed within the easement, Mr. Tignor said he thought the setback was from the road. Mr. Vignaly pointed out that the property line is at the wall. Mr. Tignor has not talked to the property owner yet. The shed appears to have been constructed in violation of the setback. Mr. Vignaly suggested that if he has to move the shed, then leave the easement; which will no longer be encroaching. Mr. Ali said if he moves the easement you cannot put anything on it. Mr. Tignor will work on it.

Regarding 27 Westland Circle, Mr. Ali said that he and the owners of 27 Westland Circle have reached an agreement in regard to the fence, shed and light that were impacted during construction. The board received an email from the homeowners accepting the agreement.

150 Hartwell Street across from the VFW (Development Review Process) – A subdivision will be done and two lots will be developed; the subdivision will need to be done first to create the lots, followed by a Site Plan Review for each lot or lots.

ANR Plan (Mike Coveney, West Boylston Water District) for the Oakdale Well Water Treatment Facility) – Mr. Vignaly recused himself from the matter because his employer is an abutter. Mike Coveney wants to divide a one acre parcel out of a thirteen-acre town parcel adjacent to the rail trail. Mike Ohl and Scott Simpson from Comprehensive Environmental Incorporated, the Water District's design engineer explained the proposal. The existing well is closer to Thomas Street and needs a new treatment system so they propose to install a pipeline through the access easement into a new parcel where they plan to build the water treatment plant.

Mr. Anderson said they need to have frontage. Mr. Simpson explained where the access will be for the two plants, but the lot will not have any frontage. It is a MA DEP requirement to treat the water; it will be completely automated; not designed for occupancy, which is why they are asking to waive the frontage requirements. There is no frontage; it is town owned. Mr. Coveney explained that because the Water District is a separate entity from the town, and they are applying for a loan the property has to be owned by the Water District. Town meeting approved the transfer of the land to the Water Department at the May Town Meeting. Mr. Frieden said the board has to give them the bounds of the property, but didn't know the legalities for the Planning Board to waive the frontage. Mr. Tignor said 81R of Chapter 41 gives the Planning Board the right to approve a lot with no frontage. The ZBA will also have to give approval and there will be restrictions from them. Mr. Tignor said it is not setting a precedent. Mr. Frieden said it will have to be noted as 81R, not the usual 81P. Mr. Frieden began a motion to endorse the ANR, but did not have an address to reference. The address noted in the application was "along the Mass Central Rail Trail off Thomas Street". Mr. Rajeshkumar wants to check with Town Counsel; Mr. Simpson said pages 79-80 in the ANR Handbook explains it. Mr. Anderson said we need an

address assigned to it. Mr. Coveney said they are under a strict deadline with DEP to get it built and would prefer not to wait; DEP wants all the documents by the end of the year. Mr. Rajeshkumar said the board only just received it and doesn't want to make any premature decisions on it. Is zero frontage allowed? Mr. Ohl said they are in discussion with DCR. Mr. Frieden made a motion to endorse the ANR but wants to get a revised plan that includes an address before signing; Ms. Miles seconded. It is based on the 81R regulations. Roll call vote: Miles-yes; Rajeshkumar-yes; Frieden-yes; Anderson-yes; motion approved. Mr. Coveney said the existing address is 697 Thomas Street; it will be tied into that pump station. Mr. Tignor will provide a number after he talks to the Fire Chief. The board agreed to waive the \$300 fee because it is a town project.

**Reports from Other Boards:** None tonight.

Invoices were approved for payment.

Ms. Miles made a motion to approve the draft October 14, 2020 Regular Meeting Minutes and 659 Shrewsbury Street-Holden/Woodland Street-West Boylston (Kidoodles Child Care Center) Public Hearing Meeting Minutes; Mr. Frieden seconded; roll call vote: Miles-yes; Rajeshkumar-yes; Frieden-yes; Vignaly-yes; Anderson-yes; motion approved.

December 9, 2020 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; roll call vote: Miles-yes; Rajeshkumar-yes; Frieden-yes; Vignaly-yes; Anderson-yes; motion approved.

The meeting was adjourned at 8:51 p.m.

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

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

Vincent P. Vignaly, Clerk

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

Melanie Rich