



## **MEETING MINUTES**

### **March 24, 2021**

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

Members Absent: None

Attendees Remote: Wayne Amico (VHB), Mr. Ali, Jacqueline Leonardo

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.

The regular meeting resumed at 8:30 p.m. following the continued public hearing for Kidoodles Child Care (Site Plan Review & Stormwater Management) and public hearing for Evergreen Strategies (Site Plan Review, Special Permit, & Stormwater Management Permit)

### **Old Business:**

Westland Circle & Nuha Circle Updates – Mr. Ali attended and said Mr. Amico had sent a letter to the board about the easement for Nuha Circle. He talked to both the Building Inspector and Gary (DPW) and they came to a conclusion on the easement. Ms. Miles said the recommendation was for the DPW to look and see if they have access. The Planning Board has to approve it but has not received any information from the DPW. Mr. Vignaly said the revised plan expanded the drainage easement so it encompasses where the pipe is and some extra space so they could work around it. There is still an issue with the shed; the plan is ok; DPW was also going to look at the accessibility of the right-of-way between around lots 4 and 6. Mr. Tignor said he has been in contact with the DPW. There is no issue with access where the drain and manhole are right now. The homeowner is willing to put on the deed that where the shed is located now, should there be an emergency that it would have to be removed by equipment, the town would not be liable for any damages to the shed or any equipment inside. Mr. Amico said the engineer modified the easement so equipment access around the shed is feasible. Ms. Miles asked if people are not supposed to build anything on an easement. Mr. Amico said the general rule of thumb is that a permanent structure cannot be constructed on an easement. Mr. Vignaly explained that you are not allowed to do anything without permission from whoever owns the easement. In this case, they should have gotten permission from Mr. Ali because he still owns the easement. Mr. Tignor said the shed is less than 200-square feet and doesn't require a building permit from the town. The board needs something in writing from the DPW that they are in agreement with the drainage easement proposed on the plans and that there is adequate access with the shed in place.

Jacqueline Leonardo said the asphalt is already chipping away on the sidewalk and the edges are uneven. She also said that as a homeowner she has no information about the Homeowner's Association (HOA). Mr. Ali said he will check the asphalt tomorrow. As far as the HOA, the

money is in an escrow account and will be transferred to the trustees account once they have signed the documents. He said Vanessa Kuzmanovski has the paperwork; after they have been signed, he will record them. She asked if Mr. Ali had to clean out the drains again. Mr. Vignaly said the town will want them cleaned before they accept it. She commented that this is the third extension. Mr. Vignaly said the board is aware and Mr. Ali is willing to work on it and make corrections. Westland Circle will be discussed at the next meeting. Mr. Rajeshkumar made the board aware that Vanessa Kuzmanovski emailed during the meeting and wanted to go on record that she never received paperwork for the Homeowners Association to sign; if she had it would have been discussed with the rest of the street and signed already.

Proposed Zoning Changes for the May 17<sup>th</sup> Town Meeting: The attached changes were reviewed. No new information was provided so the board will forward all but the new storage container ban to the Selectboard for them to refer back to the Planning Board for public hearings and recommendations for own meeting.

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

A letter was received from Bowditch & Dewey on behalf of Wachusett Estates Condominium Trust Club (178, 180 & 182 Worcester Street). Mr. Vignaly said the property line in the back with an undeveloped lot at about 77 West Boylston Street (informally presented by Mr. Ali as a site for future rental apartments) is more on the existing Condo Association property; they have been using it for more than 20 years and they have made a claim of “adverse possession”. They request to be made aware of any proposals or reviews by the Planning Board at this location.

**Reports from Other Boards:** Mr. Frieden said Economic Development met for the raffle of the advertising signs. Ms. Miles said CPC met to review an application for overhauling the Pride Park playground to make it fully universally accessible; there was no clear plan and did not have the support of the school or the Parks Commission, but they will work together to create something acceptable. Vignaly said the trees have been cut for parking at the Blueberry Hill trailhead and hopes to have the parking lot graded next month.

Invoices were approved for payment. Mr. Rajeshkumar made a motion to approve the February 10, 2021 Regular Meeting Minutes; Ms. Miles seconded; roll call vote: Miles-yes; Vignaly-yes; Frieden-yes; Rajeshkumar-yes; Anderson-yes; motion approved.

April 14, 2021 at 7:00 p.m. was confirmed as the next regular meeting date and time.

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

The meeting was adjourned at 9:15 p.m.

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

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

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