



**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**  
**September 22, 2021**

Members Present: Paul Anderson (Chair), Sarah Miles, Marc Frieden, Vincent Vignaly, 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 7:05 p.m.

Citizens' Comments – None tonight.

73 West Boylston Street – The hearing is postponed and was readvertised for October 13, 2021 at 7:05 p.m. due to the applicant not posting the notice in the T&G two consecutive weeks prior to the hearing.

**Old Business:**

Westland Circle Subdivision Construction Status – Mr. Ali said the sewer as-built plans have been sent to Weston & Sampson for review; they requested more information. He is still waiting to hear from the DPW about the request that the town accept the sewer in the road right-of-way. he will contact Kevin Duffy who is the new DPW Director. Regarding the fence around the second detention basin, Mr. Ali will be adding it but said he has not done that yet because of financial difficulties because the board is holding the bond; he is waiting for the board to reduce the bond so he can finish the work. The board voted not to approve the last bond reduction request a year ago. Mr. Ali will need to submit a new request. Included in that request needs to be the cost for legal and engineering reviews associated with the sewer line. Mr. Ali said he needs the as-built. Mr. Vignaly said there is still a question as to whether the town will accept the sewer in the street as well as the legal documentation review for the easement. Mr. Ali said there is no easement and that it is in the town's right-of-way. Currently the Homeowners Association (HOA) is responsible for the sewer; the board will need something to send to Town Counsel.

Mr. Vignaly asked about the walkway up to Lawrence Street. The subdivision approval condition says it will be maintained in perpetuity by the HOA but there is no HOA; Mr. Ali said there is. He will bring his attorney to the next meeting to discuss it. In order for the town to accept the sewer line, the DPW and Selectboard have to agree to it; VHB will then review it. Mr. Anderson said at the Selectboard meeting, no one had issues with it. The board needs documentation from the DPW Director and Selectboard to say they will accept it. Once the Planning Board receives that, they will revise that section in the document.

Nuha Circle Construction Acceptance Status – Mr. Ali said there was a delay from submitting the paperwork because he has not heard from Town Counsel. He said he sent the acceptance plan and the as-built plan with the warrant article wording and the easements to the board today. He did not have the paperwork as noted in the Town's Street Acceptance Procedure for the acceptance of the street. He believes that all that remains is to take care of the catch basins and clean up the stormwater basins.

Jacqueline Leonardo (7 Nuha Circle) commented that Nuha Circle has no Homeowners Association. She also said since the project will not be on the October warrant, he won't be in compliance with the extension the board allowed. If the board extends the performance agreement again, she asked when is enough enough. She also said that the school bus will not come on the road because it is a private road; Mr. Ali has had three years to do that. Mr. Rajeshkumar said it needs to be resolved. Mr. Amico commented that they could possibly enter into a pass and repass agreement or right of entry agreement saying that Mr. Ali allows the bus company to use the private road; he will send information to the board.

Mr. Vignaly sent a letter asking if the board needs a legal determination because the subdivision approval has expired. Can the board request acceptance on a subdivision road that has expired; a legal interpretation is needed. Ms. Leonardo asked if 1 Nuha Circle and 2 Nuha Circle are part of the HOA. Mr. Ali said they are not part of the subdivision. They wanted to be part of the HOA and talked to their attorney who said they can be included with an amendment. Mr. Ali sent the HOA paperwork to Vanessa Kuzmanovski, but she has not distributed it. The board asked that Mr. Ali send the paperwork to the board and it will be forwarded to Town Counsel for review. With regard to the final acceptance, Mr. Ali's attorney is to tell the board what the legal options are because the approval has expired; a request to extend the Performance Agreement; and resolution on the Homeowners Association.

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

67 West Boylston Street (Campfire Cannabis) – No information has been received regarding a Special Permit amendment application to extend the closing hours to 10:00 p.m.

VHB Professional Engineering Peer Review Services Contract Rate – Mr. Amico has been able keep the rates low for Peer Review Services, but the rates haven't been raised since 2003. The rates are still lower than three other towns he works with because of the long-term relationship with West Boylston. The board's fee schedule will remain the same, but managing the costs will be needed. He hopes he will be able to continue working with the board. The town has always been satisfied with their service and the Planning Board decisions had not been appealed to court in over 20 years, until last year.

101, 125, 127 Hartwell Street Site Plan Review/Stormwater Management Application (accept application and schedule a public hearing) – The application was accepted and a public hearing was scheduled for November 10, 2021 at 8:00 p.m.

The regular meeting resumed at 8:20 p.m. following the public hearing for 699 Thomas Street (West Boylston Water District Water Treatment Facility) and the continuance request for Bethlehem Bible Church (307 Lancaster Street).

699 Thomas Street (West Boylston Water District Water Treatment Facility) – Ms. Miles made a motion to approve the waiver to 3.6.C.2.a (plan scale requirement); Mr. Frieden seconded; all voted in favor; motion approved. Mr. Rajeshkumar made a motion to approve the Site Plan Review and Stormwater Management application for 699 Thomas Street; Mr. Frieden seconded; all voted in favor; motion approved.

**Reports from Other Boards:** Mr. Rajeshkumar said the Selectboard approved the town meeting warrant. One Article is for a zoning change at 2 Goodale Street; it is Selectboard/Planning Board initiated. A public hearing is scheduled for October 13, 2021.

Mr. Anderson said the Transportation Committee met. They proposed that money be spent to change the traffic pattern in the triangle of roads at the center of town. The Committee suggested they try making Franklin Street one-way from West Boylston Street to Worcester Street and changing the light in the center of town to make one left turn lane, one straight and one right, and have a dedicated light for left turns. Nancy Lucier will take that suggestion to all interested parties. It is a low-cost way of solving the problem. They will check with MassDOT.

Invoices were approved for payment. Minutes were not ready for approval.

October 13, 2021 at 7:00 p.m. was confirmed as the next regular meeting date and time.

Ms. Miles made a motion to adjourn; Mr. Frieden 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