



## TOWN OF WEST BOYLSTON ZONING BOARD OF APPEALS

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### MEETING MINUTES

**July 21, 2016**

Chair: Kristina Pedone

Members Present: Kristina Pedone (Chair), David Femia (Clerk), Barur Rajeshkumar and Charles Witkus .

Others Present: Daniel Cronin (Associate Member), Robin Mellecker (Associate Member), new Associate Member Orciani (appointed 7/6/16) and Secretary Toby Goldstein.

Members Absent: Will Turner

Mrs. Pedone called the meeting to order at 7:16 p.m. She read aloud names of members present and absent (as Mr. Turner was absent, she designated Mr. Cronin as a full member for the first part of the meeting). First agenda item was:

#### **Informal Discussion Regarding 94 North Main Street:**

(Dean Harrison and Iqbal Ali represented). Mr. Harrison came to the front, gave his name, address and connection to the project. He showed the board and those present site maps on an easel. First he wanted to bring to the board's attention that, less than a year ago, the elevation of Building B changed. Mr. Harrison explained that, overall, regarding the building type, it is a smaller one-story with a divider; one story elevation was taken out of Building B. He acknowledged that the original floor plans of the connected buildings caused some confusion. He pointed out that they went back to connecting the middle building and changing the elevation, and there were no other changes and the site work was done according to the map shown.

Mrs. Pedone commented that it looked like there was an indentation between both buildings and that they were connected but overlapped. Mr. Harrison and Mr. Ali commented that this was the case.

Mr. Ali then gave his name and address and addressed the board. He said that Chris (Lund, former Building Inspector) put in the connection between buildings so that it would look better,

and it was approved. He also said that the elevation had not changed, explaining that one building is four feet higher than the other building. In response to a question from Mr. Femia, Mr. Ali replied that a person cannot go internally from one building to the other. Mr. Harrison added that they did not intend to do that.

Mr. Femia then asked if there were any changes to numbers of rooms? Mr. Ali replied that there were not. He then pointed out on the maps that there are two entrances, and there was a five foot difference from one end of the building to the other due to the need for handicapped accessibility. Mr. Harrison added that there had been no changes in utility or drainage plans.

Mr. Rajeshkumar then commented that the middle building, Building B, with a four-foot difference in height from the building next to it, looked like two buildings from the road and asked if they could be made into one single building? Mr. Ali responded that the floor elevations are different so the building elevations are different. Mr. Femia asked if the elevation of the higher building is still within the 35 feet required? Albert Fine, Clerk of the Works, gave the background of this construction, and reiterated that nothing changed on the building, and that they were different heights due to topography. He asserted that the change in roofline was always present, and that the entrances were always present, that the square footage was the same and the amount of parking as well. Mr. Femia asked again if they are all within the elevation requirements? Mr. Harrison responded that they were the same as before.

Mrs. Pedone then asked Bentley Herget, Building Inspector, to tell the board what had changed, if anything? Mr. Herget responded that the maps showed what the board originally approved, and the buildings were put back. Mrs. Pedone asked him if the board should have any concerns? Mr. Herget replied that they shouldn't.

Mr. Fine continued that the roof was higher than the limit of building code and approval would be with change in elevation of the roof. He explained that the land sloped and if they were to raise part of the other building up, they would have to do excavation.

Mrs. Pedone asked for any public comment regarding this informational session (not regarding the overall project); there were no public comments. Mr. Femia then asked about the financing of the project. Mr. Harrison explained that the inspector was completing his review, wanted complete drawings of all the buildings, and a project manual; all of this had been done. He said that Mr. Fine was working with Wayne Amico of VHB, so that he would be up to date regarding the site work; MHP and Rockland Trust were working towards final approval. He added that the inspector was being very thorough, and that when the analysis is done, they can get final approval from MHP.

Mr. Ali continued that the site work was complete other than sewer, water and drainage. They were trying to grade, do roof drains, and needed approval on septic gravel. They were also crushing gravel for the driveways. Mr. Femia asked if it was normal for this to take so long? He also commented that it seemed as though work was done before financing. Mr. Harrison responded that Mr. Ali was only getting construction financing from Rockland Trust, and the rest was coming from MHP; he had approval from Rockland Trust, and wanted to make sure about MHP, and noted that Mr. Ali had put a lot of equity into the project himself.

Mr. Femia then asked if there was any timeline on this process? Mr. Harrison replied that it would probably be more than 60 days for MHP. He explained that the architect will do final corrections on the construction drawings, and the construction manual was almost complete; Rockland Trust would be closed out before then.

With no more comments or questions, Mrs. Pedone then asked for a motion to close the informational discussion. Mr. Femia made the motion to close the discussion, Mr. Cronin seconded. All in favor. (Mrs. Pedone then announced that the board would be in recess until 7:45, the advertised time for the public hearing for Big Daddy Realty Trust; it was now 7:35).

**Public Hearing, Big Daddy Realty Trust, Petition for Special Permit, 90 Sterling Street:**

(At 7:45, the public hearing commenced; Craig Wambolt, Joe Peznola and Atty. John Spillane represented). Ms. Mellecker took Mr. Femia's place as a full member, as Mr. Femia recused himself because of being an abutter; also, Mrs. Pedone asked Mr. Orciani to take Mr. Cahill's place.

At 7:45, Mrs. Pedone announced that the recess was over. She read the agenda item for this subject, recognized (2) associate members to vote as full members, and stated that Mr. Femia recused himself on this topic. She had these two members, Mr. Orciani and Ms. Mellecker, give their names, and confirmed that, as this was Mr. Orciani's first meeting, he had been already sworn in as an associate member. Mrs. Pedone asked Ms. Mellecker to read the public hearing notice.

Mr. Peznola, an engineer from Hancock Associates, explained that he was present to talk about the redevelopment of Reservoir Motor Lodge (he showed maps of the property and described the boundaries, and that it consisted of two buildings, (40) hotel rooms, a manager's suite and parking. He described that they would like to convert the hotel to (24) townhouse units, keeping the curb cuts but adjusting them slightly; there would be two buildings with six units each (modular, two-story), and four three-unit buildings. He added that the (52) parking spaces exceeded the bylaw requirement of two per unit. He described the on-site drainage and other utilities, and that they were connected to the main sewer in Sterling, MA. Mr. Peznola said that

they propose a stockade fence, and will advance to Planning Board for other issues if they get ZBA approval, and they will develop the site plan then.

Mrs. Pedone then asked Mr. Peznola about the parking spaces and if they were adequate? He asserted that the 52 spaces were adequate because only 48 (two/unit) are required in the bylaws; he added that, in general, one looks at parking to be 2 to 2.5 spaces per unit, including owners' and visitors' spaces. In response to questions by Mr. Rajeshkumar, Mr. Peznola replied that they were proposing a combination of two and three-bedrooms per unit. Mr. Rajeshkumar asked him how many of each? He noted that there were (40) bedrooms before, and wanted Mr. Peznola to compare the number now to then of bedrooms, living rooms and bathrooms, and asked if their proposal would be better than what is there now? Mr. Rajeshkumar also asserted that the parking would be different depending upon how many bedrooms there would be, and that each unit would need handicapped and visitor parking. Mr. Peznola responded that, first of all, the units are designated as two-bedroom, with an option of three, and believed that the market should drive that. He asserted that the required parking was not specified in the bylaws according to the number of bedrooms, just per unit. But, he added that they can look at additional parking, and said that their experience has shown the need for 2 to 2.5 spaces per unit and that they will do what the board feels appropriate. Mr. Peznola clarified that they were not proposing any one-bedroom units. He suggested that, to compare the existing situation with what is proposed, they should look at other aspects such as home ownership units, the property will be better cared for with a condominium association, and they will have such things as common areas in the units.

Mr. Rajeshkumar then said to Mr. Peznola that he mentioned at the last ZBA meeting (on June 16, where they had an informational discussion with the applicants) that they could come up with a different plan to make the development more presentable from the road, and also have more parking. Mr. Peznola responded that they were looking for some direction; he explained that, normally the bylaws of many towns have parking requirements, such as per number of bedrooms, and with the absence of that, they are looking for direction. Mr. Rajeshkumar commented about the clustered-appearance of the buildings in such a small area. (Mrs. Pedone then asked the audience members to silence their cell phones).

Next to speak was Atty. Spillane. He stated that the relief that the applicants seek was for the altering of pre-existing, non-conforming use, and that this was discussed in the attached materials of the petition; the zoning bylaws that this applies to is under section 1.4E (change of non-conforming uses), as well as the State laws, MGL 40A, Chapter 6. He explained that the ZBA has the authority to grant the expansion of pre-existing, non-conforming use so long as the change will not be more detrimental to the neighborhood than the existing use. Atty. Spillane said that there are three reasons for this proposal. First of all, it is the basis of well-developed

case law in Massachusetts. There will be six structures on the property, two with six units and four with three units; each unit will be 20' x 27'4", and 52 parking spaces were depicted while only 48 are required. He explained that the premise of the motor lodge was that there were transient and non-transient tenants; some were short-term and seasonal, and others long-term tenants. The petition proposed that use reflected multi-unit dwellings, residential, and they will be decreasing the number of units but won't establish a fundamentally different use. He asserted that they believe the use will be essentially the same as current use, but that the use will be more efficient long-term and less in number of units.

Second, he asserted, there will be no difference in quality or character, and they will make the underlying use more efficient. Atty. Spillane said that the petitioner realized that the hotel had been a real problem in the Town; he visited the neighbors and there were substantial numbers of multi-family dwellings in the neighborhood. He added that the property was acquired by bank foreclosure.

Third, they asserted that the property use will not be detrimental so as to be different in kind or effect on the neighborhood; they believe that the units will fit in with the character of the neighborhood, citing the fact that there are eight condominium units abutting the property, and added that the applicant seeks the units to be owner-occupied. He added that, across the street, there is a residential multi-unit at 91 Sterling Street, and mentioned Old Stone Village, with 16 units, parking and garages, 135, 137 and 139 Sterling Street, with 12 apartments each building and parking. So, in summary, they were looking to extend pre-existing, non-conforming use, and asserted that it will not be detrimental to the neighborhood and will be in agreement with the character of the neighborhood.

Next, Mrs. Pedone asked Chris Olson of Planning Board to come forward. She explained to those present that Planning Board sent an official letter of comment to ZBA regarding the petition; in summary, she discussed that multi-family properties are usually before the Planning Board, but this situation needed to be before ZBA. Mr. Olson gave his name, title (Chair of Planning Board) and address (74 Newton Street), and explained that at the last Planning Board meeting this request for special permit was discussed. He reiterated that Planning Board sent a letter (on file) of response to ZBA (and also to the applicant). Mr. Olson explained that Planning Board thought that the special permit shouldn't be considered for extension of non-conforming use, but really more applicable to the structures themselves and density (greater than one habitable building per lot).

Mr. Witkus asked how many units are allowed on greater than one acre of land? Mr. Olson replied that the density requirement is in Section 4.3A1 (multi-family dwellings) and it states that the minimum lot area is 10,000 square feet for each unit. Mr. Witkus then asked if six units are allowed without ZBA permission? Mr. Olson replied "yes" and that beyond that,

maximum number of habitable units is twelve. He continued that, in Section 4.3G, only one habitable building is allowed on any one lot, but the existing property has more. Mr. Olson said that the question is, if the applicants go from two buildings to six, is it non-conforming or non-detrimental?

Ms. Mellecker then said that she called the Building Department and found out that motel use was revoked in 2014, and before that, many units were condemned. She asserted that the non-conforming use expired as it was greater than two years. Also, she said that stated in the petition was that the applicants wish to add four more buildings to the two already there, and questioned if this was in fact less in number? Ms. Mellecker expressed concern for the impact on the schools of the amount of people who will live there and said that she did not know if the project would be an improvement. She also mentioned Old Stone Village as a reference, stating that it is located on 7.5 acres, has eight buildings, and 16 units only; Rock Ledge, on 2.39 acres, has 3 buildings; 91 Sterling Street, one building, on .69 acres, Freedom Village, on 3.4 acres, only has 20 children in the schools. She asserted that the scope and appearance of this project is not similar to the others.

Atty. Spillane then asked if pre-existing, non-conforming use had been abandoned? Ms. Mellecker replied that she thought the current bylaws state a limit of two years for the property to be out of use, and that the hotel was condemned in 2013. Mr. Wambolt continued, asserting that condemned does not disqualify it. Mr. Wambolt said that they are looking for the development to benefit them financially, and they are open to discussion of the density and of the parking spaces. He continued that they are trying to improve an “eyesore” and mentioned that there were 800 police visits last year to the property and they want to serve the community by encouraging young buyers. Ms. Mellecker responded that she did not see the Town represented in this, and mentioned that she attended the last Planning Board meeting and did not think there had to be so much density. Mr. Wambolt referred to the last ZBA meeting, when there was discussion about the number of buildings, and said that many board members were not pleased with the garden apartment design. Ms. Mellecker asserted that there was no issue with the type of buildings.

With no further questions or comments, Mrs. Pedone suggested continuing the public hearing to later, after the public hearing for 101 Goodale Street which was scheduled for 8:15, as it was already 8:30. Mr. Rajeshkumar made the motion to do so; Ms. Mellecker seconded. All in favor. (Mrs. Pedone then called back Mr. Cahill and Mr. Femia to sit on the board).

**Public Hearing, Matthew Bufton, 101 Goodale Street, Petition for Special Permit:**

Mrs. Pedone announced a change in ZBA members (Mr. Cahill took the place of Mr. Turner as a full member). She called the parties representing the petition forward, and Mr. Femia read

aloud the legal notice. The parties representing were Matthew Bufton, owner of the property, address 101 Goodale Street, and his parents, Ernest and Carol Bufton, who lived at 78 Summit Street, Clinton, MA. Mr. Bufton was petitioning for a special permit to construct an in-law apartment (stated as such on the petition, not as an accessory apartment) in a pre-existing garage at the Goodale Street address. Mrs. Pedone asked Mr. Bufton (Matthew) if he received the communications from the Town regarding the differences between filing for Variance and filing for Special Permit, as there were questions as to why they filed for Variance instead of Special Permit for Accessory Apartment? Matthew Bufton responded that the Building Department told them to “try for a Variance to get the apartment.” Mrs. Bufton added that Town Clerk told her what she needed to do. (Mrs. Pedone called forward the Building Inspector, Bentley Herget). Mrs. Pedone said that it was believed that the Buftons did not need a variance and it should have a special permit instead. Mr. Herget explained that the Buftons said that they wanted an accessory apartment, and were told that they could apply for a zoning determination; Mr. Herget could not approve it and said that they needed a special permit from ZBA, and asserted that he did not know where the idea of a variance came from.

Mrs. Pedone asked the Buftons if they knew anything about accessory apartments? Ernest Bufton said that they investigated it online, and he knew that it could not be greater than 700 square feet in size. Matthew Bufton added that they would later like to build another addition, but that will be discussed later. Ernest Bufton continued that Mr. Rajeshkumar came by to look at the property one day, and also Mr. Femia and the Building Inspector. Mr. Rajeshkumar clarified that he did not visit the property as a Town official. Matthew Bufton added that Mr. Rajeshkumar lived up the street from the property. In response to a question from Mrs. Pedone about their plans, Matthew Bufton said that they were only sketched. Mrs. Pedone responded that, in order for the board to have the proper information, they would need a special permit with plans including square footage information. Mr. Herget asked the Buftons if they had a copy of the accessory apartment plans? He added that there was nothing about an addition to the house and no building permit was applied for yet.

Mrs. Pedone asked Mr. Herget to discuss the process of applying for an accessory apartment. Mr. Herget explained that the Buftons applied for a zoning interpretation; without pulling a building permit, they have a form of intent, and he reviews it; if he cannot approve, they need a special permit from ZBA to appeal his decision. (The denial letter was contained in the petition paperwork). Looking at a set of plans that Mr. Femia brought to the meeting with him (these were not previously furnished to the ZBA)(Mr. Herget also saw them), Mrs. Pedone asked if the proposed apartment would be greater than 700 square feet? Ernest Bufton said that it would not. Mr. Rajeshkumar mentioned storage spaces in the garage; Mr. Femia responded that those are not included in the zoning. Mrs. Bufton commented that it is all storage space (Ernest Bufton showed the board the storage on the plan). Mr. Femia stated that the area of the space

is 696 square feet. He then said that the board needed a notarized Affidavit of Residency (Matthew Bufton gave it to them). Mr. Femia said that, first of all, the owner shall occupy the home. Second, only one apartment will be created, and he noted that it appears like a single family home but noticed that the stairwell was in the breezeway. Mr. Herget said that it was alright that the breezeway was a separate entity. Mr. Femia continued, that the third concern was that an accessory apartment is subordinate to the single-family dwelling and not to be greater than 10% of the existing house; he pointed out that the house is 24" x 40", which is 960 square feet, and the 700 square foot apartment would be greater than 10%. Mr. Herget reiterated this rule.

Next to speak was Marc Frieden of Planning Board, whose address is 8 Pinewood Drive. He discussed the issue of the apartment being greater than 10% the size of the house. Matthew Bufton mentioned the future addition and how it would make the house larger, but Mr. Frieden responded that this issue was not before them now. Next, Mr. Frieden and Mrs. Pedone discussed the fact that the Buftons want to make the house larger, but cannot as it is a one-family home, one-family residential area, and they cannot double the house size. Matthew Bufton noted that they could only have a 90 square foot apartment. Mr. Frieden noted that attic space is included in the total size of the house. Matthew Bufton commented that the space that they want to make into the accessory apartment was already there.

Next, Ernest Bufton showed the board what exists on the plans, and they discussed questions as to what is and is not counted; he also showed them the garage, what is on the top of it and the breezeway. Mrs. Pedone then gave her opinion. First of all, because the plans show a future addition, she wants to see the current house and the square footage of it, and remarked that she did not see this on the street. Second, she wanted to know what currently exists, not what they are proposing, for the accessory apartment, and explained that she would feel more comfortable with that information. Ernest Bufton commented that the footprint has not changed. Mrs. Pedone reiterated that she needs the square footage, what it looks like, and what the accessory apartment adds to the building, and for the Buftons to petition instead for a special permit. She added that they cannot approve a plan with an addition on it if that is not the subject before the board. Mr. Herget explained that the room over the garage exists, and the applicants want to create an accessory apartment in the room above the garage-so it is not finished, but is there. He said that the storage is not included in the 690 square feet. It is an approximately 30" x 36" room, smaller because of the knee wall, and they are taking away space because of storage.

Mr. Femia asked Matthew Bufton about the new addition, if it would be done next year and if it would be 24 by 36? Matthew replied "yes." Mr. Femia explained to him the reasons why a variance is granted-soil, shape, topography or substantial hardship to the applicant, and asked if



there was any land-related reason for the variance? Matthew said there was not. Mr. Femia then apologized for the board for not providing the proper information, and read Section 3.4 regarding accessory apartments aloud. Mr. Femia suggested to Mrs. Pedone that the applicants resubmit paperwork for a special permit and that they continue the public hearing to next month. Mrs. Pedone instructed the applicant to submit paperwork for a special permit and furnish the board with requirements of Section 3.4, such as dimensions of the house, Affidavit of Residency (provided already), a statement on parking, and amount of livable space. The Building Inspector said that he had plans for the garage. With no further questions or comments, Mrs. Pedone asked for a motion to close the Public Hearing for Variance. Mr. Femia made the motion, and Mr. Cahill seconded. All in favor. Mrs. Pedone then called a five minute recess, and asked Matthew Bufton to write out a request for the board to withdraw the variance.

#### **Public Hearing of Big Daddy Realty Trust Re-opens:**

(At 9:16, Mrs. Pedone announced that this hearing would resume). Mrs. Pedone resumed the discussion with Chris Olson of Planning Board. He continued that the special permit is required from ZBA under Section 1.4B, dealing with non-conforming uses and non-conforming structures. He said that it was Planning Board's opinion that the property use was not non-conforming, but the bylaws allow this under a special permit from Planning Board, and ZBA should focus on structural issues, such as number of buildings and density.

Mr. Rajeshkumar then asserted to Mr. Peznola that it was their burden to prove non-conforming use. Mr. Peznola responded that they believe that there is non-conforming use. Mrs. Pedone said to Mr. Peznola that the burden of proof is on them to prove that the property still had non-conforming use within a two-year period. Mr. Wambolt responded that there was a letter from last April showing that people still rent there, although it is about a year since the hotel was occupied as a hotel. Ms. Mellecker responded that the two years began when the permit was revoked and it ceased as a motel, therefore they are still within the two-year window. Attorney Spillane continued that Mr. Herget went out to the property and observed the tenants, and found the premises not to be habitable and ordered remediation measures within 48 hours. Ms. Mellecker added the operation of the hotel was ordered to stop in 2014. Atty. Spillane asserted that rent was being collected until 4/8/15 and it was operated as a hotel until then. Referring to the abandoning of non-conforming use, Mr. Peznola said it was only the intent to abandon, and if the violations were remediated, the violations would go away. On 3/10/15, the Department of Inspection Services determined that, regarding transient vs. non-transient occupation, the non-transient occupants violate zoning as they are not using it as a motel. The Building Inspector said that the transient use of the property was lawful, but they had to cease having permanent residents. Mr. Peznola said that, regarding the premise of non-

conforming uses and structures, alteration is recognized of inherent value; the applicants are trying to consider the change to non-conforming use as they believe it is better use of the site. They would like to continue the discussion to lead to the modification of the plan to have the boards be comfortable with the plan. They believe that what they can do is good for the neighborhood. For example, they could look at the parking, and if they must add more spaces, they must decrease the units and strike a balance. In his experience, 2.5 spaces per unit seems sufficient, but they will work with the board if they disagree.

(Mrs. Pedone next opened the hearing to public comment). She first expressed the opinion that six units are not appropriate for one acre of land, where there had been two bldgs. (She asked the speakers to give their name and addresses for the record).

First to speak was Chris Rucho of Planning Board. He asked if parking spots would be assigned, and suggested that there might be two/unit, perhaps four for visitors, and also asked if there would be any open space? Mr. Wambolt replied that there will be a small grassy area. Mr. Peznola added that there will be an individual space behind each unit, like a patio area, and privacy.

Next to speak was Paul Lenkarski of 45 Sterling Street. He said that he developed Old Stone Village and owns property in Rockledge. He said that he is not against the project, and thinks that it is in the best interest of the Town. But, the density seems too high and the parking low, and he suggested that, if units are for sale, that they may need more parking for visitors. He mentioned that, in other developments, the units incorporate parking, such as in their own garages. Mr. Lenkarski asserted that the applicants are looking for a large amount of density according to the bylaws, but he would like to see something done with the property.

Marc Frieden spoke next as a Planning Board member, not a private citizen. He researched the parking and decided that three spaces per unit, or four per three-bedroom unit, would be sufficient. He observed developments that are located on more property, and there seems to be more parking. He suggested that the board should require the development to have more parking per unit and give the applicants the freedom to work out the arrangement of it. Mr. Frieden commented that none of the other developments have all their spaces full.

Ms. Mellecker added that she watched the Planning Board meeting, and commented that Mr. Frieden and Mr. Rajeshkumar thought that the proposed area was too dense and she noted that the ZBA board said that before as well. She opined that it did not feel right with respect to the character of the Town, and said that she felt responsible to the Town. Mr. Peznola responded that the applicants appreciate that, and have heard all the comments at the various informal meetings. They thought that their plan was defensible. They asked the board to consider continuing so that they could come back with a plan sensitive to the boards and the

public. They would like to follow up on the number of buildings, as they do not believe that is the defining point for non-conformance, and that the question is would more buildings be detrimental to the neighborhood? They believe the separation of buildings makes it a better project as well.

Mrs. Pedone responded. In her opinion, a unit with two to three bedrooms does not fit into a one-bedroom hotel. Regarding the number of houses and ratio of number of rooms to the total, the market dictates if they should be two or three bedroom. She wants to see the number of bedrooms per unit, and have it not be more dense than what is there now, and asserted that the number of buildings is not really important. She asked the applicants if they could come in August, and they could do so, so she asked for a motion to continue. Mr. Rajeshkumar made the motion; Mr. Witkus seconded. All in favor. (Mrs. Pedone instructed the applicants to send notice ahead if they need to continue again).

#### **Minutes of June 16 Meeting:**

(Mrs. Pedone asked Mr. Orciani and Mr. Femia to return to the board). After review of the minutes by the board members, Mr. Femia moved to accept the minutes as submitted. Mr. Rajeshkumar seconded. All in favor.

#### **Re-organization of Board:**

Mr. Femia suggested that, since the public hearing for 90 Sterling St. was continued and it was agreed at the June meeting that Mrs. Pedone would stay on as chair until that hearing was over, they could not re-organize this evening. Mrs. Pedone asked for a motion to continue that topic to August. Mr. Femia made the motion. Mr. Rajeshkumar seconded. All in favor.

#### **Mail and Paperwork:**

Mr. Femia discussed a meeting of AHT and the Housing Authority, and it was asked if ZBA wanted training? It was also suggested that perhaps they could send a notice to surrounding towns inviting them for the training and West Boylston could be host to them.

Also, Town Counsel asked if the ZBA board members, both full and associate, would come for training regarding variances and special permits on Monday, August 15, at 6:30 pm? The board members responded that they could attend, so Mrs. Pedone asked Ms. Goldstein to notify Town Counsel that the board accepted that date and time for training.

**(At this point, Mrs. Pedone stated an addition to the meeting's business; at the request of the Board of Selectmen, Town Administrator and Town Counsel, the board was going to move into Executive Session; a separate agenda was posted announcing this session). (The Board moved into Executive Session at 9:52 p.m., adjourning the regularly scheduled meeting; the**

**board agreed to not re-convene this meeting-Mr. Femia made the motion, Mr. Rajeshkumar seconded, after the roll call vote calling the board into Executive Session).**

Respectfully submitted,

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Toby S. Goldstein, Secretary

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