



PLANNING BOARD

TOWN OF BOYLSTON

221 MAIN STREET
Post Office Box 601
BOYLSTON, MA 01505

Meeting Minutes

Date: April 6, 2009
Time: 7:30 p.m.
Location: 221 Main Street, Boylston, MA
Chairman: Richard Baker
Recorder: Christine Webster
Members Present: Richard Baker, Raymond Duffy, Jennifer McGrath, Kim Ames
Members Absent: Julia Hucknall

Agenda

- Approve March Minutes
- Public Hearing – Edward Defeudis -See separate minutes
- Public Hearing – Robert and Sheri Fuller- See separate minutes
- Kenneth Sydow

Mr. Baker called the meeting to order at 7:30 p.m.

Approval of March Minutes - Mr. Duffy made a motion to approve the March minutes with the noted corrections, Ms. McGrath 2nd the motion; all in favor.

Mr. Duffy made a motion to approve the executive session minutes, which are not to be released until litigation is completed. Ms. McGrath 2nd the motion; all in favor.

Public Hearing - Defeudis

Public Hearing - Fuller

Member McGrath left the meeting due to a family emergency.

Kenneth Sydow - Mr. Sydow appeared to request an extension of approval of his two lot subdivision “Rocky Pond” due to interruption of construction necessitated by litigation.

The Plan was originally endorsed on April 1, 2002 and will expire March 31, 2010.

Mr. Sydow has asked the Board for an 8-year extension. The Board stated that a 5-year time limit is more typical.

Mr. Sydow contends that MGL Ch. 40A, Sec. 6 entitles him to a extension equal to the total time of the litigation. Mr. Baker stated the Board's position, developed after consultation with Town Council, that the extension mentioned in Ch. 40A, Sec. 6 applies to a zoning freeze, not a subdivision approval.

The Board agreed that Mr. Sydow is entitled to an extension for length of the subdivision appeal process.

Mr. Baker inquired about the date the subsequent litigation was settled. Mr. Sydow stated April 25, 2008. Mr. Duffy asked how much work could be completed this summer.

Ms. Ames made a motion to extend the approval to April 30, 2011 at which time the subdivision approval will expire and no further extensions will be granted. Mr. Duffy 2nd the motion; all in favor.

Meeting was adjourned at 9:00 pm.



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Public Hearing – Robert & Sheri Fuller

Date: April 6, 2009
Time: 8:10 p.m.
Location: 221 Main Street, Boylston, MA
Chairman: Richard Baker
Recorder: Christine Webster
Members Present: Richard Baker, Raymond Duffy, Jennifer McGrath, Kim Ames
Members Absent: Julia Hucknall

Public Hearing – Robert & Sheri Fuller - Present for the hearing were Robert and Sheri Fuller and Attorney Leo McCabe for their petition to change the zoning district from Rural Residential to Industrial and add new dimension requirements for the sale and rental of recreational vehicles use.

Mr. Baker relayed to the applicant that the Town Clerk requests a map showing the lots affected by the petition. Mr. Baker asked where houses are presently located.

The Fuller's presented a petition of 26 signatures from neighbors in support of the proposed zone change.

Ms. Ames inquired about any possible building on the property.

Mr. Duffy recommended the Board recommend approval of the petition as long as all abutters were made aware of the proposed change.

Ms. Ames made a motion to close the public hearing, Ms. McGrath 2nd the motion; all in favor.

Ms. McGrath made the motion that the Planning Board recommend approval of the zoning change at Town Meeting, Mr. Duffy 2nd the motion; all in favor.

Hearing adjourned.