



PLANNING BOARD

# TOWN OF BOYLSTON

221 MAIN STREET  
Post Office Box 601  
BOYLSTON, MA 01505

## Meeting Minutes

**Date:** March 2, 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, Julia Hucknall, Kim Ames  
**Members Absent:**

## Agenda

- Approve February Minutes
- Executive session to discuss ongoing litigation
- Ed Defeudis – Land Swap
- Jim Casa, Signature Homes, Proposal for Compass Point
- James Tetreault (TLA) – Dean & Maureen Swartz, 206 Mile Hill Rd., creation of 2<sup>nd</sup> lot w/ Common drive.
- Rachel Rd., release of surety and 53G funds

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

**Approval of February Minutes -** Mr. Duffy made a motion to approve the February minutes Ms. McGrath 2<sup>nd</sup> the motion; all in favor.

**Executive session to discuss ongoing litigation -** Mr. Duffy made a motion to enter executive session to discuss ongoing litigation and to resume the regular meeting upon ending the executive session. Ms McGrath 2<sup>nd</sup> the motion.

A roll call was taken:

Jen McGrath – Yes                      Julia Hucknall - Yes  
Ray Duffy –Yes                         Richard Baker - Yes

Executive session ended and meeting resumed at 8:20 pm.

**Ed Defeudis – Land Swap -** Present at the meeting was Mr. Defeudis and Peter O’Connell.

Mr. O’Connell explained to the Board that surveys revealed a discrepancy between conditions on the ground and the recorded land plan for the Dipilato property. Surveys of other lots revealed the error was propagated over all lots north of the property in question. The corrected property is closer to the development site than originally shown on the site plan, necessitating a waiver of the required 50-ft buffer zone. Mr. Defeudis and Mr. O’Connell are requesting a waiver to allow a 30-ft. buffer.

Mr. Baker confirmed that the Flexible Business Overlay Zoning allows the Planning Board to waive the buffer requirement.

Mr. Baker and Mr. Duffy agreed a Public Hearing is necessary in order to amend the site plan and grant the waiver. A Public Hearing was scheduled for April 6, 2009. Mr. O’Connell agreed to prepare the certified abutter mailings. Mr. Baker will provide the public hearing notice.

**Jim Casa - Signature Homes, Proposal for Compass Point -** Mr. Casa is requesting an extension on the approval of the Compass Point Subdivision.

Mr. Baker informed Mr. Casa a public hearing will be necessary in order to amend the conditions of approval to extend the time for subdivision by an additional five years.

Mr. Duffy advised Mr. Casa to be aware that there may be a statutory maximum for the number of years subdivision approval may be extended; it may only be 7-8 years.

Mr. Baker informed Mr. Casa to complete all necessary work that could change the site plan before petitioning for the extension. The Planning Board will need at least 90 days prior notice.

**James Tetreault – Dean & Maureen Swartz, 206 Mile Hill Road, Common drive –**

Present at the Meeting were James Tetreault of Thompson Liston Associates and Dean and Maureen Swartz.

Mr. and Mrs. Swartz own 8.51 acres on the westerly side of Mile Hill Road. The Swartz’ would like to create a paper street cul-de-sac as a means to create an additional lot to be accessed by a common driveway.

Ms. Ames inquired about the common driveway given that the land is being subdivided into three lots.

Mr. Baker questioned the location of the shared driveway.

Mr. Duffy feels that obtaining a frontage variance from the Zoning Board of Appeals would be a better means of achieving the applicant's goal. Mr. Duffy also recommended that the applicant test the soil to confirm that the land will support another septic system.

**Rachel Rd., Release of Surety and 53G funds -** Mr. Aspero has requested the release of surety and 53G funds for the Rachel Road subdivision.

Mr. Baker confirmed with Don Parker that there are no outstanding issues and all the work has been completed for Rachel Road.

Mr. Duffy made a motion to release the surety and 53G funds for Rachel Road to Mr. Aspero, Ms. Hucknall 2<sup>nd</sup> the motion; all in favor.

Meeting was adjourned at 9:10 p.m.



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