



TOWN OF WEST BOYLSTON PLANNING BOARD planningboard@westboylston-ma.gov
127 Hartwell Street, Suite 100 * West Boylston MA 01583 * Phone 508-835-3490 * Fax 508-835-4102

MEETING MINUTES

August 7, 2013

Chairman: Marc Frieden

Members Present: Chris Olson, Patrick McKeon, Vincent Vignaly, James Kaufman*

*Mr. Kaufman has not been sworn in, but is a Member after being voted in at the joint meeting with the Board of Selectmen

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 127 Hartwell Street.

The meeting was called to order at 7:03 p.m.

Zoning Enforcement – There was discussion as to how the Building Inspector should be contacted regarding problem issues. In the past, Ms. Paré spoke with him. Mr. Frieden has also spoken with him and said the Building Inspector would like trackable communication (such as the complaint form on the website).

242 Woodland Street – Mr. Frieden will send a draft letter to the board for review notifying the owner that he is in violation of his Site Plan Review Approval and advising him of what he needs to do.

Accessory Apartment Bylaw – Mr. Vignaly said a bylaw was drafted previously by the board to revise the bylaw to propose to Town Meeting to allow a separate, unattached house to have an apartment. There has been some very public review of the existing bylaw. The situation is now in court.

The intent of the existing bylaw was for bigger houses around town, as the parents get older, family or friends could move in to assist with care and stay connected. It was not meant that when the property gets sold, it is sold as a two-family or as an apartment. The use expires with the ownership. Town meeting is in October and there are other issues of greater importance, but Mr. Vignaly said the bylaw needs to be rewritten because the intent was to clarify the wording and consider specific circumstances where a separate building could be used for an accessory apartment. These could include some affordable units that would only run with the property

owner (being an affordable designation for a certain amount of time). Mr. Vignaly will talk to Dick to see if this is possible and worth the effort. Not a high priority at this time.

Village Zoning – The Master Plan, State Smart Growth, and past board discussions all suggest the creation of a new historic-Village Zoning District; not a Business District. What needs to be determined are: what uses would be allowed, how would it be different from the current Business District, what are the boundaries, how to keep the historic nature of the Town Center and Oakdale Village, how to incorporate mixed uses harmoniously. Prior discussions of having a business downstairs (professional office, etc.) and people living upstairs, so that impacts to existing residents is limited. Non-obtrusive professional services and small family apartments were envisioned; not a McDonalds, Dunkin Donuts, or offices with high traffic or parking needs. The board feels this item should be worked on before the Accessory Apartment bylaw rewrite.

Additional topics that need to be addressed:

1. Medical Marijuana – A regulation needs to be in place by July 1st.
2. Dairy Queen parking lot queuing onto Route 12 (Zoning Enforcement).
3. Gerardo's/West Boylston Seafood – Unpermitted parking in the dirt lot between them (both are using it).
4. Fay Funeral Home – Parking in setback and on Town Common, backing onto Church Street (Zoning Enforcement).
5. Franklin/Worcester Street (148 Worcester Street, WB Child Psychiatrists) – Parking has expanded above the 15 spaces allowed before a Site Plan Review is triggered (Zoning Enforcement).
6. Pine Farm Landscaping at Parkers Candy Store – The trailer is parked within the 10' setback (Zoning Enforcement).

Old 'Donut Chateau'/Clinton Savings Bank Site – The parking is within the setbacks and may be in excess of 15 spaces on the lot and on the adjacent property to trigger Site Plan Review (possible Zoning Enforcement). ZBA has approved the drive-thru window and were told they only need twelve spaces (discussed in more detail below).

Land Portion of Master Plan: Rewrite – This needs to be reviewed. Karen Paré will be asked for a copy of the most recent draft.

At 7:30 p.m. the meeting was adjourned and members relocated to Meeting Room 1 to attend a joint meeting with the Board of Selectmen to elect a fifth member.

Joint Meeting with Board of Selectmen – Mr. McCormick read into record the notice accepting applications and letters of interest from registered voters to serve on the Planning Board until the next election. Only one applicant expressed interest (James Kaufman, Sr., 11

Planning Board Meeting Minutes – August 7, 2013

Marsh Hawk Way). Mr. Kaufman has lived in town three-plus years, was a teacher for twenty-two years, works as a consultant for New England businesses, and works in the insurance industry. He has an undergraduate in public education and a graduate degree from Babson College. Ms. Bohnson asked what was the main reason for wanting to serve on the board, to which Mr. Kaufman replied that he wants to be part of the future of the town, hopes to see the needs of the town and put them in perspective, brings a fresh point of view, and said he will be pro-active, not just a spectator. Mr. Hadley asked if he would have any problem with the Wednesday night meetings of the board. He said he did not. Mr. Vignaly asked if he had any experience with bylaws. Mr. Kaufman said no but that he was willing to catch up with the member's help. He was informed that it would be a one-year appointment (until the next election).

Mr. Vignaly made a motion to nominate James Kaufman, Sr., 11 Marsh Hawk Way to fill the vacancy on the Planning Board; Mr. Olson seconded the motion. Roll call vote: Mr. Vignaly yes; Mr. Frieden yes; Mr. Rucho yes; Ms. Bohnson yes; Mr. McCormick yes; Mr. Hadley yes; Mr. McKeon, yes; Mr. Olson, yes. He will be sworn in at a later date.

The Planning Board returned to session at 7:40 p.m. Mr. Kaufman was welcomed to the board. The members introduced themselves and gave a brief overview of their responsibilities. Mr. Vignaly explained the different boards and their purpose. He said the Planning Board is responsible for bylaws and property subdivisions, but not zoning enforcement. Mr. Kaufman said he hopes to be a positive influence to the board.

Election of Officers – Mr. Vignaly made a motion to elect a slate of officers as follows:

Chair – Mr. Olson
Vice Chair – Mr. McKeon
Clerk – Mr. Kaufman
Treasurer – Mr. Vignaly

Mr. McKeon seconded; Mr. Frieden, Mr. Olson, Mr. McKeon and Mr. Vignaly all voted in favor; motion approved. Mr. Kaufman did not vote as he has not been sworn in by the Town Clerk yet.

The following committee assignments were decided on for the coming year:

Town Wide Planning – Mr. Kaufman
CMRPC – Mr. Frieden
Affordable Housing – Mr. Frieden
Earth Removal – Mr. Vignaly
Transportation – Mr. Vignaly
Economic Development – Mr. McKeon
Community Preservation – Mr. Kaufman
Bylaw Committee – Mr. Olson

Responsibility for reviewing board minutes will be as follows:

ZBA – Mr. Frieden

Conservation – Mr. Olson

BOH – Mr. Vignaly

Selectmen – Mr. McKeon

Proposed Donut Shop at West Boylston Street (Need for Site Review) –David Femia (ZBA Associate Member) was in attendance and said it has been approved. Mr. Femia said his biggest concern was with the parking; that there was not enough room to back out of the spaces on their property. He said there is enough room to back out without hitting people that would be waiting in line. The drive-thru will be on the north side of the building. He said the applicant supplied photos (which he showed the board). There will be twelve parking spaces according to the applicant. There was a concern with employee parking because this happened when the Clinton Savings Bank occupied the site. The Zoning bylaw says that if there are fifteen or more spaces, a site plan review is required. They are proposing twelve spaces, with 6-8 spaces on the adjacent property. Clinton Savings Bank did not have the parking on the east side of the site on the adjacent property; they built it after they were moved in and were having parking issues. Clinton Savings Bank said they needed twelve or thirteen spaces, but the Planning Board said at the time they would need more than thirteen spaces. They constructed the site with eight spaces, with parking in front of the building (handicap). Mr. Femia said there is more than enough room. Mr. Vignaly said the simple issue is that they need to comply with the Zoning Bylaws or get a variance. Backing onto a public right-of-way is not allowed. Mr. Femia's concern was that when they are waiting in line it would become another Dairy Queen with traffic spilling out onto Route 12. The owner said it will take two minutes to serve each customer. The board agreed. The parking issues were reported to the Building Inspector but not pursued when the Clinton Savings Bank occupied the site because they said it was a temporary location. The board has no authority to do enforcement. Mr. Olson will draft a letter to the Building Inspector and ask that he address the situation with the board's concerns (don't want people backing out onto the right-of-way on Route 12; make sure traffic circulation works; determine if a Site Plan Review is needed, want it to be in conformance with zoning). This will put the board on record to protect the town.

New Business:

CMRP Health Alliance is offering a training workshop for Complete Streets on Wednesday, August 14th. The town has joined this regional group. They are looking for more funding by offering programs. It could be helpful in working on the Village District. No members can attend. No action needed.

Mark Cook (for Sprint, 208 Beaman Street) Email – Mr. Vignaly said at the last Planning Board meeting we approved sending a letter stating that he doesn't need a site plan review. Mr. Frieden will send an email to Mark Brodeur (copy to Mark Cook) saying that the board approved the change from 88' to 100' to install Sprint dish antennas, and that the change needs to be reflected on the as-built plans when the request for a Certificate of Completion is submitted.

Planning Board Meeting Minutes – August 7, 2013

A copy of the correspondence received regarding Fibertower Network Services will be given to the Town Accountant.

Reports from Other Boards – The Earth Removal board has not met, Open Space meets in September, as well as Transportation.

Payment of Invoices/Review of Draft Meeting Minutes – An invoice from VHB for engineering and review services for 21 Franklin Street was approved. There are more funds needed for an additional invoice. Mr. Vignaly will contact them.

A motion was made by Mr. Frieden to approve the Meeting Minutes of July 10, 2013 with changes noted; Mr. McKeon seconded; Mr. Frieden, Mr. Olson, Mr. McKeon and Mr. Vignaly all voted in favor; motion approved. Mr. Kaufman did not vote as he has not been sworn in by the Town Clerk yet.

A motion was made by Mr. McKeon to adjourn; Mr. Olson seconded; Mr. Frieden, Mr. Olson, Mr. McKeon and Mr. Vignaly all voted in favor; motion approved. Mr. Kaufman did not vote as he has not been sworn in by the Town Clerk yet. The meeting adjourned at 9:25 p.m.

Date Accepted: _____

By: _____
James Kaufman, Clerk

Submitted by: _____
Melanie Rich