



**TOWN OF WEST BOYLSTON PLANNING BOARD** [planningboard@westboylston-ma.gov](mailto:planningboard@westboylston-ma.gov)  
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## **MEETING MINUTES**

### **October 9, 2013**

Chairman: Christopher Olson

Members Present: Marc Frieden, Vincent Vignaly, Patrick McKeon, James Kaufman

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 7:05 p.m.

**Master Plan Rewrite (review of updated drafts)** – In reviewing the Transportation chapter, Mr. Vignaly noticed that the information is outdated and many of the items noted to be completed have already been done. Because of the numerous summaries and chapters involved in the Master Plan, each member will review one chapter as follows:

Education – Jim Kaufman  
Municipal Services – Marc Frieden  
Financial Strategies – Pat McKeon  
Economic Development – Pat McKeon  
Cultural & Historic Resources – Chris Olson  
Transportation – Vinny Vignaly  
Housing – Vinny Vignaly

**Angell Brook (ongoing work/construction)** – A site visit was performed on October 2<sup>nd</sup> per the request of the developer. VHB is recommending a bond of \$58,000 be held from the applicant. Mr. Vignaly will contact the developer to notify him that a request to reduce the current bond or a request for a new bond is needed.

**Medical Marijuana (Town Counsel correspondence)** – Members found the information received was very helpful. Mr. Vignaly is working on a draft model bylaw. A special permit will be required for a dispensary. Mr. Vignaly feels the Planning Board should be the special permit granting authority to be similar to what was done with adult entertainment. Since there is already a site plan review process set up, applicants would have to apply for a special permit and follow the site plan review process.

**Drive-Thru Coffee Shop (review of letter for Building Inspector)** – The letter was reviewed and revised by the members. Mr. Olson will forward it to the Building Inspector.

**Cumberland Farms (discussion of petitioner's rebuttal letter to ZBA)** – John Benson (ZBA Chair), and David Femia (Associate Member) were in attendance. There are concerns with traffic and parking. Mr. Benson would like the applicant to pay for a peer review of the traffic study, but ZBA only has regulations/policies in place for the applicant to pay if they applied for a comprehensive permit; they are asking for variances and special permits. Traffic studies can be performed at any time as long as there is an appropriate correction factor that is used. Mr. Benson has concerns with the 1-3 second traffic delay noted in the study. At the public hearing, the applicant needs to be asked what their traffic study determined would be the traffic backup during the evening peak hours. The Planning Board raised the question of cut-through traffic, which has not been addressed. According to the Master Plan, one of the recommendations was that there are problems with the number of curb cuts within the business district; and they need to be reduced. Mr. Vignaly said the Transportation Committee has discussed a proposal to spend Chapter 90 funds to hire a traffic engineer to assess the Route 12/Route 140/Franklin Street intersections. These intersections have the highest incidence of accidents reported to the police and warrant consideration.

Mr. Vignaly told Mr. Benson that the Zoning Board needs to be specific in what they grant the applicant relative to variances and special permits. The bylaws and sections must be referenced. He believes that the applicant also needs to state specifics (regulations, sections, bylaws) in their posting and advertising for the public hearing.

They are required to have one parking space for every two seats if they are serving food (which has not been included). Waiting spaces for the drive-up service islands have not been addressed. The applicant needs to show that they provide parking spaces for all three categories (pumps, store & tables). They are cumulative so the applicant needs to include spaces for all of them. The zoning regulations do not require loading spaces for a building of the size proposed, but Mr. Vignaly thought that this should be changed so that loading space should be required to be shown for all non-residential developments. Mr. Benson feels that tying into regulations is important but they are an appellate board, not a policy making board. The ZBA could grant the land use because it is an allowed use, it is an existing non-conforming lot, but the bylaws note that public safety issues need to be addressed. The Zoning Board could ask the applicant if they are willing to pay for a third-party review of the traffic study since a great deal of input has been received and the board members, not being traffic engineers, would feel more comfortable with an independent review. A list of engineers that the town has used in the past could be supplied or the applicant could supply a list of engineers they would accept. Mr. Benson said the Planning Board letter was not addressed by the petitioner. He will ask them to respond to the issues in that letter.

**Warrant Article Discussions for Town Meeting** – The warrant articles were reviewed. A motion was made by Mr. Frieden and seconded by Mr. McKeon to recommend approval of Article 5 A and B only (Vote to Appropriate Funds for Community Preservation Fund Projects as recommended by the Community Preservation Committee); all voted in favor; motion approved.

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**Other Topics** – CMRPC will be hosting a seminar on Massachusetts Zoning Reform on October 25<sup>th</sup>. A memo was received from the Town Administrator regarding the 2014 town goals and objectives. A letter was received from Dick Deardon suggesting potential businesses for the town. Mr. Olson will respond.

**Reports from Other Boards** – Affordable Housing was discussed earlier. Mr. Vignaly said the Open Space Implementation Committee is putting together a survey on the website to provide input as they prepare the Update to the Open Space and Recreation Plan. Hard copies will be distributed at the town meeting or can be requested from OSIC members.

**Approve Payment of Invoices/Review Draft Meeting Minutes of September 25, 2013** – There were no invoices for payment. Mr. McKeon made a motion to approve the September 25, 2013 Meeting Minutes as amended; Mr. Frieden seconded; Mr. Olson, Mr. Frieden, Mr. Vignaly and Mr. McKeon voted in favor; Mr. Kaufman abstained; motion approved.

A motion was made by Mr. Frieden to adjourn; Mr. Kaufman seconded; all voted in favor; motion approved. The meeting adjourned at 9:55 p.m.

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

By: \_\_\_\_\_  
James Kaufman, Clerk

Submitted by: \_\_\_\_\_  
Melanie Rich