



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

## **MEETING MINUTES**

### **November 13, 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 7:07 p.m.

#### **Master Plan Rewrite (review of updated drafts)**

Cultural & Historic Resources – Mr. Olson said updates need to include the town hall and school programs that are offered. He will forward his updates to the Town Administrator and request his edits be sent back to the Planning Board for a second round of review.

Economic Development – Mr. McKeon said he rewrote the ETA language which was wrong. This chapter will also be forwarded to the Town Administrator for review.

Financial Strategies – Mr. McKeon said updates are needed to the current fiscal year.

Education – Mr. Kaufman has yet to speak with the principal. He did, however, commend the administration for their rewriting of the mission statement.

Municipal Services – Mr. Frieden had no updates for submittal tonight.

Mr. Vignaly feels recommendations and coordination is needed for discussion of uses of municipal buildings and municipal lands in the master plan update. The possibility of joint meetings with the TWPC was discussed.

Affordable Housing Trust – Mr. Frieden said that regionalizing was discussed. The Trust has concerns and does not feel it is good for the town. In addition, he noted that Dick Heaton had found \$30,000 in lost taxes for the town.

Transportation and Housing – Mr. Vignaly is working on.

**Medical Marijuana (bylaw discussion)** – Mr. Vignaly will forward the draft bylaw to the members for review and discussion at the next meeting.

**Response to letter from public suggesting potential businesses for the town** – Mr. Olson’s draft letter was reviewed and will be mailed.

**21 Franklin Street (construction status)** – The developer submitted a construction sequence as well as the requested funds to replenish his account. There was concern with the height of the fill on the lot, proximity to the property line and fill over the proposed infiltration area. Mr. Frieden will draft a letter to the developer noting the board’s concerns.

**231 West Boylston Street (Gourmet Donut Shop) Request for “grandfather” clarification** – Mr. Olson said before sending a letter to the building inspector, he wanted to become more familiar with grandfathering as it pertains to this particular lot. There is no new structure or no new parking spaces, but there is a change of use which can extinguish grandfathered rights. He said that our bylaw states one year to be deemed abandoned, the state requires two years. The courts would look to see if the change of use was a substantial change of use; not substantially similar. Mr. Vignaly said we could ask the building inspector on what basis did he consider it grandfathered; did the applicant submit documentation? Since this is a new proposal, the board wants the applicant to comply with zoning regulations or document how they are exempted. Mr. Frieden felt that over the years changes were gradually made to the original grandfathering. Mr. Vignaly suggested Mr. Olson call Don Schmidt (DHCD). Mr. Olson will draft a letter to the building inspector asking to provide the board with the standards he used in making his determinations.

**Selectmen’s Meeting regarding Paper Streets** – Mr. Olson attended and felt it focused more on public ways and private ways; there were no specifics concerning paper streets in town. Title searches need to be conducted for determination. The assessors initiate tax taking and there is a process that must be followed before the town can own it. Mr. Vignaly will draft a letter to the Town Administrator telling him we were hoping to get more details addressing the “unknown owner” properties issue and how to get the lands back on the tax rolls.

**License Renewals** – A letter will be sent to Nancy Lucier with the following comments where potential issues may have bearing on license renewals:

**Alcohol Beverage License Renewals:**

- Fynders, Inc. – Site Plan Approval not completed
- Webo Seafood – Parking violation
- Oli’s Italian Eatery – Parking violation
- Vivian’s Market Style Café – Sandwich board sign violation

**Business License Renewals:**

- Dairy Queen – Parking violation
- Fynders, Inc. – Parking violation
- Gerardo’s Italian Bakery – Parking violation
- Il Forno Restaurant – Sign violation
- Jake’s Café – Parking changes in rear never permitted

**Planning Board Meeting Minutes –November 13, 2013**

Jungle Jim's – Storage in parking area  
Kitsta Corporation (The Manor) – Sign violation  
Marjam Enterprises (Flagg RV) – Site Plan Review never submitted.....business center?  
Oli's Eatery – Parking violation  
S&S Farms – Sign violation  
Subway – New paving in rear...if greater than 15 spaces, needs Site Plan Review  
The Manor – Sign violation  
Vivian's – Sandwich board sign violation  
Webo Seafood – Parking violation

**2014 Meeting Date Schedule** – Reviewed and approved.

**Reports from Other Boards** – Mr. Kaufman said the Community Preservation Committee discussed the Mason's stained glass windows. The committee feels the glass belongs to the town and the deed should reflect that.

Mr. McKeon stated that the Economic Development Task Force met with the new Chamber of Commerce representative. They would like businesses to supply their email in order to send out informative mailings. The gathering of data could be a project high school students could work on as community service hours.

Mr. Vignaly said the Open Space and Recreation survey is still on the website. To date there have been 130 respondents.

Mr. Frieden said the Affordable Housing Trust is in the process of compiling a list of properties available to build senior housing on. They will be holding a charrette in January.

The Route 12 public forum on November 4<sup>th</sup> had a low turnout. Approximately twenty people were in attendance with only three businesses being represented.

Mr. Olson informed the members of the following with the Conservation Commission: (1) they are considering a new wetland bylaw; (2) they are in the process of obtaining Certificates of Compliance for the fast track sewer project; and (3) Mr. Meola (195-201 West Boylston Street) was asked to fill out the forms he was sent with the DCR Cease and Desist order.

**Other Topics** – None

**Approve Payment of Invoices/Review Draft Meeting Minutes of October 9, 2013** –

Invoices from VHB for engineering and review services for 21 Franklin Street and Angell Brook were approved. Mr. Frieden made a motion to approve the October 16, 2013 Meeting Minutes with changes noted; Mr. McKeon seconded; all voted in favor; motion approved. Mr. McKeon made a motion to approve the October 23, 2013 Meeting Minutes with changes noted; Mr. Frieden seconded; all voted in favor; motion approved.

A motion was made by Mr. Frieden to adjourn; Mr. McKeon seconded; all voted in favor; motion approved. The meeting adjourned at 9:30 p.m.

**Planning Board Meeting Minutes –November 13, 2013**

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

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

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