



TOWN OF WEST BOYLSTON PLANNING BOARD planningboard@westboylston-ma.gov
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MEETING MINUTES

December 11, 2013

Chairman: Christopher Olson

Members Present: Marc Frieden, Vincent Vignaly, Patrick McKeon

Members Absent: James Kaufman

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)

Cultural & Historic Resources (Chapter 8), Economic Development (Chapter 5), and Financial Strategies (Chapter 11) were forwarded the Town Administrator for review.

Housing Production Plan (changes requested before DHCD approval) – Mr. Vignaly revised the document according to DHCD comments. DHCD did not have an issue listing the 1 1/2% Land Area Standard in the HPP, but they did not want it misunderstood that by approving the HPP they are not approving the calculations for 1 1/2%. The updates included stipulations requested in Table 27 where they wanted the dates for when the request for proposals will be issued. Mr. Vignaly made a motion to approve the Housing Production Plan as amended on November 19, 2013; Mr. Frieden seconded; all voted in favor; motion approved. Mr. Frieden said that the Affordable Housing Trust had voted to approve the plan as amended also.

Medical Marijuana (bylaw discussion) – The draft bylaw was reviewed. No input was received from the Fire or Police Departments. There will be two types of locations; cultivating and storefront, and storefront only. Revisions recommended include allowing this use in both Business and Industrial Districts for the cultivation and distribution; the location will be 500 feet from schools, childcare, etc., hours of operation shall generally be 7AM-9PM, and the Special Permit shall lapse after three years of issue.

The process is to send the draft to the Selectmen within six months prior to the town meeting for consideration. After review from the Selectmen, they will send it back to the Planning Board

who will hold a public hearing before drafting the final wording that will be sent back to the Selectmen for inclusion in the Town Warrant.

21 Franklin Street (construction concerns) – Mr. Frieden will draft a letter. Mr. Vignaly previously sent an email to Mr. Faucher regarding (1) the lack of a pre-construction meeting and construction schedule, (2) lack of payment of the Site Plan/Construction Inspection fees, and (3) fill over the proposed infiltration area. An email was sent to VHB asking that before the applicant submits a request for a certificate of completion, included in the Engineer's Certification and the As-built plans, they show evidence that the infiltration basin is working according to the design. This will be included in Mr. Frieden's letter.

231 West Boylston Street (Gourmet Donut Shop) Request for "grandfather" clarification – The drafted letter by Mr. Olson was reviewed. Revisions will be made and reviewed at the next meeting. Mr. Olson left a message for Elaine Wijnia at the DCHD for further guidance.

Paper Streets – Mr. Vignaly will draft a letter to the Town Administrator.

Iqbal Ali letter to ZBA regarding P&S of Village at North Main Street – Mr. Frieden said the Affordable Housing Trust will send a letter to the Board of Selectmen inviting Mr. Ali to attend a BOS meeting for a "Round-table" session to hear what he proposes to do and provide an opportunity for town boards to provide comments and concerns.

Mr. Frieden also said the Affordable Housing Trust discussed and will notify the BOS that they do not intend to purchase the Heritage Lane property that is currently in bankruptcy proceedings. Dick Heaton will research to determine what the price will or can be. Mr. Heaton is researching all the affordable properties in town.

MMA Testimony on Zoning Reform Bill – The MMA has requested Planning Board support for its current legislation, but there are some changes the MMA is trying to address that don't seem to benefit the town.

Adoption of Zoning – They board feels the 2/3 super majority required at Town Meeting for changes to Zoning Bylaws should remain. Changes should be made carefully and only with almost full support. People buy property with the expectation that these laws will be followed to provide them protection.

Special Permits – House 1859 is looking to reduce the default majority for issuing a Special Permit to a simple majority from a super majority. The board is against this because again, it is a special consideration and the decision should clearly support the change, not simply be a majority.

Building Permits – The board agrees that increasing the time after a Building Permit is issued to one year time (from six months) before construction must begin.

Vested Rights – The information provided did not clearly explain what is being proposed. It seems they are pushing for each town to follow the State standards for consistency, but we have

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been happy with the process in West Boylston. The approvals typically take less than the six month time frame that is being reference.

ANR – The information does not clearly explain what is being proposed. The need to add some standards for drainage evaluation before development of existing lots is clear, but this does not seem to be a performance based standard that would accomplish this.

Site Plan Review – Looking to implement statewide standards, but the state standards do not fit every town/city as well as the existing Home Rule powers that are exercised by the towns.

Serial Permits – The board does not feel the need for this since the permitting process currently moves along efficiently.

Zoning Variances – The board agrees that there is a serious need for consistency and clarity in this process.

Developmental Impact Fees – The board is in favor of implementing fees (mitigation).

Subdivision Roadways – They appear to be setting tighter subdivision regulation standards, but these are not needed in West Boylston. This would mean a loss of local control and specific standards set because of the unique conditions in town. West Boylston reduced the width of the roadway pavement in subdivisions approximately 7-8 years ago to less than those noted in the proposal. House 1859 talks about replacing ANRs with minor subdivisions as a local option. The board would support this idea of providing options and clearly noting the standards that would need to be met for consideration.

Lot Line Changes – House 1859 would like to eliminate the need for an ANR. The board is not against this but it would take away our revenue streams. The board also feels there should be abutter notification so that issues unknown to the two owners might be raised before changes are made.

Appeals – The board feels this is a good idea.

Consolidated Permitting – The Town currently does this with project Round-table sessions, then the Planning Board sends letters to all boards notifying them of the Site Plan Review hearing and requests comments and concerns.

Planning Ahead for Growth Act – Already in our bylaw (Open Space Residential Cluster Development).

Possible Further Amendments – No support at this time because it is not clear.

CMRPC 2013 Traffic Volume Summary – The study was done in July and should have a correction for actual peak traffic volumes encountered when school and businesses are busier. The Board will check to confirm that all locations/intersections requested were included. Mr. Vignaly would like to compare it to the traffic study completed by Cumberland Farms at

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approximately the same time to see if the correction factors are reasonably similar. Tabled to next month.

Public Inquiry regarding Bond Reduction for Angell Brook – Mr. Olson responded to an Angell Brook resident who is part of the Homeowner's Association asking about the recent bond reduction and what it is intended to cover. He mentioned the need to clean the retention pond and was told that the Planning Board's engineer is aware of it and it would be checked before the Planning Board will sign a certificate of completion. He may be requesting copies of the recent construction inspection reports from VHB.

Reports from Other Boards – Mr. Frieden said the Affordable Housing Trust will be holding a public opinion session in January at Salter College before they draft Requests for Proposals for housing development at three available municipal-owned sites (Mixer on Prescott Street, Orchard Knoll on Maple Street, and what was County Land on Tivnan Drive next to the solar array field) for senior and/or affordable housing.

Mr. Vignaly said the Open Space and Recreation survey received approximately 180 responses. Protection of historical properties was high on the list. He will review the data further update the Board at a future meeting.

Other Topics – None

Approve Payment of Invoices/Review Draft Meeting Minutes of November 13, 2013 – Invoices were approved. Mr. Frieden made a motion to approve the November 13, 2013 Meeting Minutes with changes noted; Mr. McKeon 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.

Date Accepted: _____

By: _____
James Kaufman, Clerk

Submitted by: _____
Melanie Rich