



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

January 8, 2014

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 7:15 p.m.

Master Plan Rewrite (review of updated drafts)

No updates were sent to the Town Administrator tonight.

Medical Marijuana (bylaw discussion) – Mr. Olson will forward the draft Medical Marijuana bylaw to the Town Administrator for Board of Selectmen review and referral back to the Planning Board before scheduling a public hearing for a Zoning Bylaw change article on the Town Meeting Warrant for May 2014. CMRPC's quarterly meeting will include an overview on medical marijuana on January 9th. Mr. Frieden is unable to attend.

21 Franklin Street (construction concerns) – Mr. Frieden will draft a letter based on the board's previous discussions.

231 West Boylston Street (Gourmet Donut Shop) Request for "grandfather" clarification – Mr. Olson will continue to follow up with Elaine Wijnia at the DCHD for further guidance. Mr. Vignaly read a letter from the board to the Building Inspector at the time dated July 24, 2002. It cited a court case in which the courts said the Building Inspector can use the Occupancy Permit to uphold zoning requirements.

242 Woodland Street – The board discussed the need to send a letter to the owner informing him he is in violation of the Site Plan Review and that there are significant safety issues remaining to be corrected. Mr. Frieden will draft a letter.

Paper Streets – The draft letter to the Town Administrator was reviewed asking that Selectmen encourage the process to take lands listed as Unknown Owners so that property taxes can be generated and that these properties can be utilized by abutting lot owners. Mr. Olson will edit before sending.

CMRPC 2013 Traffic Volume Summary – Mr. Vignaly contacted Kevin Krasnecky (CMRPC) asking for the estimated peak hourly traffic volume data during the “worst” conditions expected for Route 12 and 140 at the town center. The summary included the actual counts taken on July 3, 2013. Mr. Krasnecky said the CMRPC does not have a factor or formula to calculate an estimate but provided a weekday Seasonal Factor Chart from MassDOT. Mr. Vignaly will speak to the Transportation Committee and ask why the Planning Board was not consulted in the changes from the intersections the Planning Board suggested.

Board of Selectmen’s Business License Comment Clarification – Quotes made in an article in the Banner (December 26th) relative to the Planning Board’s comments submitted to the Selectmen were discussed. The comments were submitted at the request of the Board of Selectmen to determine compliance with applicable laws. Mr. Vignaly checked the records and relative to Finder’s Pub, the Site Plan Approval was issued on October 12, 2005 and states in condition #8 that “before one year from the date of this approval, as-built site plans and a written certification stamped by the engineer that construction was completed in accordance with the approved plans shall be submitted to the Planning Board for review and approval before a Certificate of Completion may be issued. Construction must be completed within one (1) year from the date of Final Site Plan Approval.” Due to pending acquisition of the abutting Sona Motor Inn property, it appears that this condition had been extended, but no documentation was in the file for this.

Mr. Vignaly then read the October 12, 2011 meeting minutes which state that having sufficient parking remains an issue at Finder’s Pub. Mr. McCormick was in attendance at that meeting and asked for feedback from the Planning Board on ways to expand the parking within the parameters of the site plan. Ms. Paré stated that the Board’s concerns were access for emergency (fire) vehicles and safe ingress and egress for customers and employees at the restaurant. Mr. Vignaly suggested that Mr. McCormick ask his engineers to come up with a draft sketch of proposals for changing the parking. He cautioned that a new public hearing may be required if major changes are made. Mr. Kaufman asked if the board had any recourse for enforcement. The Building Inspector is responsible for zoning enforcement and this, along with other sites having violations, have been noted in similar licensing letters. Mr. Vignaly will draft a letter in response to the Banner article for review at the next meeting.

Planet Fitness Sign Variance – 184 West Boylston Street (ZBA Meeting) – Mr. Femia said the applicant did not show and did not inform the board they would not be attending the ZBA meeting. The ZBA voted to deny the request. They now have to wait two year to resubmit.

Cumberland Farms – 114 Worcester Street – Mr. Femia said the applicant provided new plans with substantial changes which need to be reviewed by the ZBA. The hearing is continued to February 24th. The board will draft a list of concerns for that meeting. Mr. Olson will contact the chairman, John Benson, to determine the current language of the Variance request for the parking lot layout, and to let him know the Planning Board’s concerns with the traffic study.

Project Roundtable College of the Holy Cross (retreat on Goodale Street) – Mr. Kaufman will attend on January 14th. It is a proposed 30,000 square foot building to include 60 beds, meeting rooms, kitchen and dining hall. It will result in a \$32,000 tax loss per year to the town.

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Updated Mileage Rate – The Town Accountant sent a memo stating that the new mileage rate is 56.0 cents as of January 1st.

CMRPC Central 13 Prioritization Project Report – The Town Administrator forwarded a CD of the final report for use in future regional planning, and in the town. This includes five projects in West Boylston that are now part of the Regional Priorities, and therefore will gain greater consideration for regional planning initiatives and funding.

Environmental Notification Report Form (165 Shrewsbury Street – CECO Realty) – Central Coating is proposing to expand their facility by constructing a 3,815 square foot addition to serve as additional warehouse space. After review, it was determined that it does not alone require Planning Board Site Plan Review. Mr. Olson will email the Building Inspector to see if they have had any alterations over the last ten years that when combined would trigger Site Plan Review. All zoning bylaws are required to be followed whether a Site Plan Review is needed or not.

Reports from Other Boards – Mr. Vignaly said the Open Space Implementation Committee met and discussed the results of the website survey. They will be compiling data from the survey and will post the results in the Banner and on the Town website to provide feedback and educational information for residents (for instance, the DCR pool in Clinton on Route 110 near the middle school is free for West Boylston residents and provides swimming lessons for a nominal fee).

Approve Payment of Invoices/Review Draft Meeting Minutes of December 11, 2013 – Invoices were approved. Mr. Frieden made a motion to approve the December 11, 2013 Meeting Minutes with changes noted; Mr. Vignaly seconded; all voted in favor; motion approved.

A motion was made by Mr. McKeon to adjourn; Mr. Frieden seconded; all voted in favor; motion approved. The meeting adjourned at 9:20 p.m.

Date Accepted: _____

By: _____
James Kaufman, Clerk

Submitted by: _____
Melanie Rich