



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

### **May 14, 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 7:05 p.m.

**Master Plan Rewrite (review of updated drafts)** – Mr. Olson will be sending four updated chapters to the Master Plan (Chapter 5 - Economic Development; Chapter 8 - Cultural and Historic Resources; Chapter 11 - Financial Strategies; and the School Chapter) to DHCD tomorrow.

**Non-Conforming Signs under Town Bylaw Section 5.6.A.5.e** – Mr. Olson's draft letter to the Town Administrator will be reviewed at the next meeting. The focus is on the issues that the board would like an understanding on and asking for Town Counsel's guidance.

**Status of Village Zoning Bylaw Grant with CMRPC and Discussion of Town Administrator's Use of CMRPC Hours** – Marc has not contacted CMRPC on this, but will be prepared to discuss it at the next meeting.

**Medical Marijuana Prep Work for Town Meeting** – The Town Clerk told Mr. Vignaly that we need a new zoning map to send to the Attorney General. Using up a couple of hours of our Local Planning allotted hours, CMRPC prepared the map. Because the current map is confusing, for the purpose of medical marijuana, Mr. Vignaly put together a map that shows only the Business and Industrial Zones that will be used in a PowerPoint presentation at Town Meeting. This should help residents better understand where it would be allowed. He also prepared a Fact Sheet to summarize issues at Town Meeting:

- \* Can only be located in the Business and Industrial Districts.
- \* They can grow it, sell it, transfer it, etc.
- \* It is licensed by the state, and regulated by the Department of Public Health.

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- \* It is a Special Permit from the Planning Board, and as an overlay, we can have additional requirements that it has to be 500' from any schools, child care facilities, libraries, playgrounds, parks, or other places where minors congregate.
- \* The moratorium that was approved on May 13, 2013 will end on June 30<sup>th</sup>. If the town doesn't include it in the town zoning, the facility can be located anywhere, even in a residentially zoned district.
- \* There is an extensive submittal package and will have to include all state permits before it would come to us. The law says 35 licenses statewide, but no more than 5 per county. Currently there are two in Worcester County (one in Worcester; one in Milford) as of January 2014.
- \* The approval can have additional conditions to all that is submitted. Every permit will require a Public Hearing and 300' abutter notification.

The Fact Sheet and presentation represent the report that is required from the board, and the board needs to move the Article and make a recommendation to approve it.

Mark Brodeur (Building Inspector) said that updates are needed on the Assessor's Map since some buildings and houses are not included, e.g., Afra Terrace, Angell Brook, Century Drive, among others. He said the Building Department and Assessor's Departments need to work together and that the GIS is a work in progress. Cartographic Associates is supposed to update the maps yearly but it is not known if they are being updated.

Mr. Olson said that the Town Administrator offered to put information on his blog if the board was interested. Mr. Vignaly will contact Leon to give him the Fact Sheet and Marijuana Districts Map.

**21 Franklin Street Update** – Mr. Brodeur said he was at the site today and spoke with the engineer, John Grenier. The portion of the foundation that was sinking was removed. Mr. Grenier felt the compaction was done correctly. The testing was fine. The foundation should be back in place by Monday. Mr. Brodeur said the neighbor thought there would be a dry swale, but if a swale was dry, it means it isn't working properly. He said what is currently there is a dike which will remain until that part of the infrastructure is completed to keep water from affecting her. He said he did not see any water where it should not be.

Mr. Frieden also spoke with Mr. Grenier about the drainage control feature. Mr. Grenier said it is not complete, and is above grade for now because they don't want any silt to run into it and clog it. When work on the site is completed, paved and stable, the stormwater basin will be constructed to meet the design grades. Mr. Brodeur explained the phases of the project and said flooding could possibly be from the West Boylston Square.

Mr. Vignaly said that we notified Mr. Grenier previously concerning 12'-15' of fill over the basin and told him a Certificate of Completion would not be issued until we receive proof that the basin is working correctly.

Mr. Olson responded to the neighbor's email. He told her if there was no condition about the fence he would contact her. No further action is needed at this time.

**ANR Plan (405 Worcester Street), Randolph Edilberti, II, et al.** – Ron Thunberg (Hub Survey Associates) was in attendance. Each lot has 132' of frontage on Edgewood Avenue and Lot A also has 167' on frontage on Worcester Street. The plan meets the required frontage (120') and provides adequate access, but we can't say whether there is adequate area. It is up to the Building Inspector to render a buildable decision. Mr. Vignaly made a motion to approve the ANR Plan of Land located in West Boylston MA, owned by Randolph Edilberti, II; Patricia Edilberti Robbins; Theresa Edilberti Sarrette; and David Edilberti, Assessors Reference: Map 168, Lot 112, prepared by Hub Survey Associates, Inc. dated April 30, 2014; Mr. Frieden seconded the motion; all voted in favor; motion approved and the board signed the mylar and 6 copies of the plan.

**WPI Student Project (Planning: Zoning Analysis in West Boylston MA)** – Mr. Vignaly met with the three students who will work on the project. They are not familiar with Massachusetts laws yet, but will be looking at our bylaws. It is a major project for the school which means it must include some design aspect. They are looking to do a development on a property (a specific or made up property). They will look at subdivision potential and values, cost vs. income, compare that to a Residential Cluster Development (costs and income associated with that), and use the Incentive Bylaw. All of the students are civil engineers. They will research other towns and make recommendations and we will work with them. They will put together the scope of work over the summer and plan to complete the project by December. The advisor will work with Mr. Vignaly to make sure it meets the criteria of college. Mr. Kaufman asked if it is something we could use in the future and Mr. Vignaly noted that was the intent. Mr. Frieden said that Dick Heaton is researching properties and could be a resource for them.

**Reports from Other Boards** – Mr. Kaufman said the Community Preservation Committee met and talked about the fencing issue and how the money was going to be spent for the baseball field. The Town Wide Planning Committee met to discuss the articles for Town Meeting. They also talked about the Borrego solar project.

The Town Administrator's email said he is having CMRPC (Chris Ryan) write the Housing Population section for the Master Plan. Mr. Kaufman said the line item has \$3,000-\$4,000 and the cost is \$1,200. May and June hours remaining for CMRPC assistance could be used to work on the Village District Zoning Bylaw, but if no contact is made, the board talked about using the hours for these rewrites instead of losing them. Mr. Frieden will call CMRPC.

Mr. Olson said since the last meeting, ZBA had two topics: Borrego Solar (which was continued), and the sign for the Dollar Store (which was denied).

**Other Topics** – An email was received from Joshua Smith regarding the 1000 Goodale (Holy Cross) submission and a photometric plan waiver they will be asking for. Mr. Olson will respond and tell him to provide information on the lighting plan to the public hearing on May 28<sup>th</sup>. Until something is proposed, the board cannot respond. Mr. Olson will also contact the Town Administrator for input on a quorum for the public hearing since after town elections,

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there will be two new members on the board and Mr. Vignaly has a conflict because his employer is an abutter.

**Form A** for ANR plans was revised to include contact information (owner/property address, telephone number), along with changing the Assessor's Book and Page to Map and Lot. Mr. Vignaly made a motion to update Form A as described above, Mr. McKeon seconded the motion; all voted in favor; motion approved.

**A Notice of Right of First Refusal Pursuant to Chapter 61A** regarding Malden Brook Farms, LLC, 405 Prospect Street, was received. It was purchased for \$166,000. It is approximately ten acres of open field which has access from Hillside Drive. Is it worth the town purchasing for \$166,000? The town could put in two duplexes (town affordable housing). Mr. Vignaly suggested forwarding the email to Dick Heaton for his input. Funds from Open Space could be used for the back portion. The town has 180 days to act on it. It will be discussed at the next meeting.

CMRPC will be holding their Spring Legislative Breakfast on June 6<sup>th</sup>. No members are available to attend. They will also be holding their Annual Meeting on June 12<sup>th</sup>. Mr. Frieden will try to attend.

**Approve Payment of Invoices/Review Draft Meeting Minutes of March 26, 2014** – Invoices were approved and signed. Mr. McKeon made a motion to approve the April 23, 2014 Meeting Minutes; Mr. Kaufman seconded; all voted in favor; motion approved.

A motion was made by Mr. Kaufman to adjourn; Mr. Frieden seconded; all voted in favor; motion approved. The meeting adjourned at 9:00 p.m.

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

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

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