



TOWN OF WEST BOYLSTON PLANNING BOARD planningboard@westboylston-ma.gov
140 Worcester Street * West Boylston MA 01583 * Phone 774-261-4073

PUBLIC HEARING MEETING MINUTES
223 Prescott Street – Nuha Circle
January 28, 2015

Chairman: Marc Frieden

Members Present: Christopher Olson, Cheryl Carlson, Mark Brodeur, Vincent Vignaly

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 140 Worcester Street.

The Chair opened the continued Public Hearing at 7:45 p.m. Mr. Vignaly noted that he would recuse himself since his employer is an abutter.

Allison Smith (abutter) had further concerns about the water easement and markers which she said have since been resolved to her satisfaction with the developer. Town Counsel reviewed and commented on the Declaration of Trust. In part it stated that if an easement is to be granted to the town, the property and extent of responsibility must be fully and properly described to avoid any confusion or disagreement in the future. Mr. Ali said that the drainage is shown on the plan and that the maintenance beyond the road right-of-way will be the responsibility of the homeowners.

Mr. Vignaly read the second paragraph from the Town Counsel's email which noted that it would be appropriate for the board to close the public hearing and include a condition of approval requiring that the applicant provide Homeowners' Association documents in a form that is acceptable to the Town Counsel. The board could close the public hearing and include this item as a condition of approval. The email continued however, if the board anticipates that there may be a need for further review or discussion of any pending items, the hearing should remain open for the purpose of being able to address those items at another meeting. No building permit should be issued until such time as the applicant satisfies all of the conditions of the Planning Board's permit.

Addressing the requirements from the last meeting in order to close the public hearing were (1) the inclusion of Operation & Maintenance Plan onto the plan set, which has been addressed; (2) obtaining clarification from the Fire Chief as to the hydrant issue, the Fire Chief responded in an email that the proposed hydrants will fulfill the Fire Department's requirements according to the regulations; and (3) the form of construction surety be submitted, which has not yet been provided. A condition of the approval letter will be that Mr. Ali needs to provide language for the Performance Bond that is acceptable to the Planning Board. He was also informed that he will need a preconstruction meeting with VHB. Mr. Ali asked who would be conducting

inspections and was told it would be VHB but that Anthony Sylvia (DPW) may also be doing inspections.

Mr. Brodeur made a motion to close the Public Hearing and sign the approval letter at the February 11th meeting; Mr. Olson seconded the motion; Mr. Brodeur, Mr. Frieden, Mr. Olson and Ms. Carlson all voted in favor; motion approved. Mr. Vignaly was recused.

Mr. Brodeur made a motion to approve and sign the Nuha Circle Subdivision Plan; Mr. Olson seconded the motion; Mr. Brodeur, Mr. Frieden, Mr. Olson and Ms. Carlson all voted in favor; motion approved. Mr. Vignaly was recused.

Date Accepted: _____

By: _____
Christopher E. Olson, Clerk

Submitted by: _____
Melanie Rich