



MEETING MINUTES October 14, 2015

Chairman: Marc Frieden

Members Present: Vincent Vignaly, Christopher Olson, Cheryl Carlson, Barur Rajeshkumar

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 meeting was called to order at 7:05 p.m.

Nuha Circle Bond/Homeowners Association – Town Counsel reviewed and approved the Homeowners Association and Performance Agreement. After Mr. Ali provides proof of the recorded documents, the Building Inspector will be notified that he can issue building permits for the lots.

Electronic Sign & Sign Bylaw – The board is in agreement that they want the proposed bylaw change to amend the minimum time change to be 10 seconds. Nancy Lucier is aware that the Selectmen need to refer it to us within the required time frame in order to prepare it for the May Town Meeting.

Old Century Farm Homeowners Association Draft Letter – The board discussed the draft letter and whether it should be sent from the Selectmen rather than the Planning Board. Mr. Vignaly will speak with the interim Town Administrator to see how he would like to proceed and who he would suggest the residents contact.

Meola Sign (165 West Boylston Street) – The Building Inspector's response to Ms. Carlson quoted MGL 40A§7 regarding a sign being grandfathered after it has been up ten years regardless of whether or not it is in compliance with Zoning Bylaws. Mr. Olson's understanding is that the ten year rule is a statute of limitations, which is distinct from a grandfathering status. The grandfathering status is that it has been there and can stay there as long as it remains the same; it may not be in compliance, but because so much time has passed before enforcing it, you can no longer enforce the bylaw. Enforcement is not allowed under the statute of limitations, but because a sign permit is required to be renewed every five years, enforcement can occur upon expiration of the permit. This was what was understood when we amended the sign bylaw to include "non-compliant signs". Mr. Olson will research further and report back.

308 West Boylston Street (Building Inspector Inquiry) – The Building Inspector's response to Kevin's Auto requiring SPR was that in 1991 an addition for storage and repair use was added to

the existing structure. He did not have a record of that process and cannot confirm that the owner back then went through it, but according to today's standards it would not have been required because the associated parking of either storage or repair use in the 1,080SF addition is well below fifteen parking spaces. The board's concern is the haphazard parking within the zoning setbacks and no clear traffic circulation patterns. Ms. Carlson will email the Building Inspector to let him know that there are more than fifteen cars parked on the lot and cars continue to park on Alcazar Street. She will also suggest that should they come to him for a permit that they have a SPR similar to the SPR that was done for the Pinecroft Business Center.

Ms. Carlson will also draft and incorporate the Building Inspector's suggestions regarding the Business Center Standing Sign calculations in the Zoning Bylaw changes being considered by the Planning Board for the May Town Meeting.

CMRPC Low Impact Development Grant Application – The Blackstone Watershed application was submitted by Mr. Rajeshkumar and we expect a reply from the CMRPC in a couple of weeks.

Application Form Review – Mr. Rajeshkumar is continuing to revise the form.

Flag Lots (Estate Lot) Zoning Bylaws Change – At the last meeting the board questioned impacts to lots on Prescott Street (with flag lots having 50' frontage and 2 acres minimum area). After a review the town's GIS Assessors information, it appeared that it would apply to only one lot. The PB and ZBA in the past have considered that the existing Zoning Bylaws Section 4.1.E (minimum lot width) conflicts with Section 4.2.C (allows a reduction in the frontage requirement by Special Permit from the ZBA). Mr. Vignaly suggested three ways to fix it: (1) remove the Section 4.2.C that allows the reduced frontage; (2) change the wording in Section 4.2.C to state that if the reduction is granted, then that is the amended minimum frontage; and (3) change wording in Section 4.1.E to state that the required minimum lot frontage can be reduced if in compliance with a Special Permit under Section 4.2.C. The benefit of flag lots is that large properties that do not have a lot of frontage can be developed without the costs and maintenance burdens of a subdivision roadway. The appearance from the roadway is of a less dense residential area because only driveways will be visible to access the back lots. The details of a "flag lot" can be worked on by the board, but generally it would allow a front lot that complies with Zoning and a flag lot that has 40'-50' of frontage and a minimum lot area of 2 or 3 acres. Mr. Frieden suggested making an adjustment to the definition. CMRPC will be asked to do an analysis of lots greater than 4 acres with 170' of frontage. Mr. Olson said we need to be prepared to answer resident questions regarding the reasoning and need for the change. It will be discussed in December.

Pierce Street Truck Exclusion – Mr. Vignaly had not reviewed Mr. Rajeshkumar's draft yet, but will forward the comments to the board and then Mr. Rajeshkumar will send it to the Selectboard.

CMRPC Town Center Site Walk Update – Those that attended agreed it was a productive site walk and good input/feedback was received. There were some critical misunderstandings by some members of the public, so future information and advertisements should clarify the scope and intent. Eric Smith will be attending the November 18th meeting.

New Business/Review of Correspondence/Emails:

ANR Plan – Prospect Street (Dennis Minnich) – After discussion of the proposal to transfer a portion of Lot 1 to Lot 2, the board had no issues. Ms. Carlson made a motion to endorse the ANR Plan of Land on Prospect Street owned by Dennis Minnich dated September 23, 2015; Mr. Olson seconded the motion; all voted in favor; motion approved.

Angell Brook Request for Certificate of Completion – Mr. Vignaly emailed VHB for a status report but did not hear back before the meeting. The board needs to compare the approved plan to the as-built plan and address any areas that are not in conformance with the approved plan and/or good engineering practices before granting a Certificate of Completion.

1000 Goodale Street (Holy Cross Contemplative Center) – A project schedule and field report were received. Mr. Vignaly will follow up with VHB for their inspection reports and an update.

CMRPC Community Capital Conversations with MassDOT; Wednesday, October 21st – Members will attend if available.

Master Plan Status – The Planning Board believes that the purpose of the Master Plan is for it to be useful and should include action items. The Town Wide Planning Committee (TWPC) sent versions of updates to two sections that the board worked on in the past when Leon was Administrator. Discussions at that time were that they need to be reviewed in a more comprehensive way to be included in the Master Plan. The General Bylaws state that the TWPC prepares a “Comprehensive Town Wide Plan”, not a Master Plan. The Planning Board has to prepare a Master Plan analysis that complies with the state requirements (MGL Chapter 41, Section 81D). The Comprehensive Town Wide Plan prepared by the TWPC was envisioned by the Planning Board in the past as the guidance for updates to be considered for incorporation them the Master Plan. The board will wait until a permanent Town Administrator is hired before proceeding.

Reports from Other Boards – None tonight.

Citizens’ Comments – None tonight.

Review and Approve Invoices and Review of Draft Meeting Minutes of September 23, 2015 and Walking Tour Village District Meeting Minutes of October 3, 2015 – There were no invoices for approval tonight. Mr. Olson made a motion to approve the Walking Tour Village District Meeting Minutes dated October 3, 2015; Ms. Carlson seconded the motion; all voted in favor; motion approved. Mr. Olson made a motion to approve the September 23, 2015 Meeting Minutes as amended; Ms. Carlson seconded the motion; all voted in favor; motion approved.

A motion was made by Mr. Rajeshkumar to adjourn; Ms. Carlson seconded the motion; all voted in favor; motion approved. The meeting adjourned at 9:05 p.m.

Date Accepted: _____

By: _____
Christopher E. Olson, Clerk

Planning Board Meeting Minutes – October 14, 2015

Submitted by: _____
Melanie Rich