



**TOWN OF WEST BOYLSTON PLANNING BOARD** [planningboard@westboylston-ma.gov](mailto:planningboard@westboylston-ma.gov)  
140 Worcester Street \*\* West Boylston MA 01583 \*\* Telephone 774.261.4073 \*\* Fax 508.835.3807

## **MEETING MINUTES**

### **October 28, 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.

**Electronic Sign & Sign Bylaw** – The Board of Selectmen is requesting to meet with the Planning Board on November 4<sup>th</sup> or 18<sup>th</sup> to discuss the board's request to change the sign bylaw language. Mr. Vignaly spoke with Mr. Purcell and explained that the reason it was not on the special town meeting warrant was that the PB was in agreement that they want the proposed bylaw change to amend the minimum time change to be 10 seconds; the BOS changed that time to zero. The PB was not sure if that was more restrictive and how any amendments on the floor could be worded while still meeting the notice requirements. Consequently this did not leave enough time to hold a public hearing before the Town Meeting. The BOS never expressed an urgency to have it on the October warrant. Nancy Lucier will be informed that the PB will meet with them at 7PM on November 18<sup>th</sup>.

**Old Century Farm Homeowners Association Draft Letter** – Mr. Vignaly spoke with Mr. Purcell regarding the history with formation of the Homeowners Association and stormwater basin maintenance needs. He will give the letter to the Selectboard for their input; it is a town road so no longer a Planning Board issue.

**Meola Sign (165 West Boylston Street)** – Mr. Olson spoke about how this issue pertains to the law and less specific to the Meola sign. He provided a case that is relevant; there are two statutes that can be related: (1) there is a six-year statute of limitations based on the date the issuance of the building permit was granted. (2) for signs where there are no permits in place, there is a ten-year statute of limitation; strictly for the structure. The use can always be challenged. It is not entitled to grandfathering; it is still illegal, but you can't seek enforcement under that part of the bylaw. It is protected, but not grandfathered. Every five years a sign permit is required to be renewed. Does the ten-year statute of limitations prevent the Building Inspector from enforcing the total area of the sign? Mr. Olson will contact Elaine Wijnja (Housing & Community Development) for assistance.

## **Planning Board Meeting Minutes – October 28, 2015**

Mr. Vignaly spoke with the Building Inspector regarding Kevin's Auto. He will advise him to stay out of the 30' right-of-way and to park cars in a reasonable manner or come before the PB for a Site Plan Review.

**Application Form Review** – Mr. Rajeshkumar is continuing to revise the form; Mr. Vignaly is commenting in this ongoing process.

### **New Business/Review of Correspondence/Emails:**

**Preliminary Site Plan Review (Cumberland Farms, 184 West Boylston Street)** – Tom Reidy (Bacon/Wilson) and Tracey Roll (TM Crowley) were present. The full set of plans will be submitted within the next two weeks to be on the December 9<sup>th</sup> agenda. A 4,738 square foot retail convenience store with 12 fueling stations is proposed. They will be requesting waivers from many aspects of Section 5.6. (second standing on a lot, sign location, height, informational and directional signs, sign schedule, digital display and fuel sales with our without convenience stores). Mr. Frieden suggested they follow closely to zoning regulations. Mr. Reidy said they will be requesting a variance from the ZBA for the parking requirements. The PB suggestions were to review the gas ad sign, justify the need for a second standing sign, reduce the height of the free standing sign to 20', include only directions for directional signs with a possible curb cut on West Boylston Street, and to make the stop line safe. The Planning Board asked to include a sidewalk across the whole lot frontage and a crosswalk at the intersection.

**Town Meeting Summary** – The Senior Center was voted down with no alternative option at this time. Selectman Rucho said he will suggest the COA inform the Selectboard of their needs. The new Police Station passed and will be voted on November 17<sup>th</sup>. The town is continuing the search for a Town Administrator.

**Reports from Other Boards** – Mr. Vignaly said the Open Space and Recreation Plan Update request was funded at Town Meeting.

Mr. Frieden said the Affordable Housing Trust met; they are working on the Maple Street project. The ZBA Chair is working on the cost certification for Afra Terrace. There is some confusion; Mr. Ali said all properties were sold but it does not appear they are.

Mr. Rajeshkumar said Economic Development is inviting people to attend their meeting on November 30<sup>th</sup>; Chris Lund will be the speaker.

Mr. Olson and Mr. Rajeshkumar attended the DOT meeting. They spoke with Barry Lorian about Route 140 improvements. Mr. Rajeshkumar also talked about jake brakes and was told that a sign could be put up but to explore all other avenues before presenting that to the Board of Selectmen.

The Conservation Commission has invited the board to attend their November 2<sup>nd</sup> meeting. Mark Archambeault from the NRWA will be present to discuss the proposed bylaw. Mr. Vignaly will attend.

**Planning Board Meeting Minutes – October 28, 2015**

Mr. Vignaly reviewed his meeting with Mr. Purcell regarding the differences between the Town Wide Planning Committee's Town Wide Plan that is from the General Bylaws and required to review at Town Meeting every five years, and the Planning Board's responsibility for the Master Plan under State Law which has no requirements for updating.

**Citizens' Comments** – None tonight.

**Review and Approve Invoices and Review of Draft Meeting Minutes of October 14, 2015** – Invoices were approved. Ms. Carlson made a motion to approve the Meeting Minutes dated October 14, 2015; Mr. Olson seconded the motion; all voted in favor; motion approved.

A motion was made by Mr. Rajeshkumar to adjourn; Mr. Olson seconded the motion; all voted in favor; motion approved. The meeting adjourned at 9:30 p.m.

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

By: \_\_\_\_\_  
Christopher E. Olson, Clerk

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