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# Town of Boylston Planning Board [planning@boylston-ma.gov](mailto:planning@boylston-ma.gov)

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## MEETING MINUTES Monday, March 7, 2016

**CHAIRMAN:** Ralph Viscomi  
**MEMBERS PRESENT:** Kim Ames – 7:04 arrival, Richard Baker, Laurie Levy, William Manter, Judith White-Assoc. Member  
**MEMBERS ABSENT:** None  
**RECORDER:** Nina Gardner

Mr. Viscomi called the meeting to order at 7:00 p.m.

The Board reviewed the meeting minutes of February 1, 2016. Ms. Levy motioned to approve the minutes as amended. Mr. Baker seconded; all voted in favor.

**ANR Sewall Street** – Jim Haynes presented an ANR for a Parcel of Land on Sewall Street. A parcel of land he owned (identified as Parcel A on the plan) did not meet the frontage requirement. He purchased a portion of an abutter (marked as Parcel C on the plan) and when combined with Parcel A resulted in a lot with 151 feet of frontage (marked as Parcel B on the plan). Ms. Levy motioned to accept the ANR referenced on the Plan entitled Plan of Land on Sewall Street dated March 2, 2016, that the lot has adequate frontage and area on the public way. Mr. Manter seconded; all voted in favor.

Mr. Haynes then informed the board on the status of Compass Pointe development. He has 27 homes under agreement and he will be starting road work on March 8th. He is on the April agenda to discuss the bond estimate for the next phase. He will contact Mike Andrade before the next meeting to get an accurate bond estimate.

**Doppler Radar Tower** – The Board received an email from Ariel Stouder of SAC Wireless regarding zoning questions for their client, NBC, as it pertains to a Doppler Radar Tower. She inquired as to what areas in Boylston would be zoned for such a tower. The Board briefly discussed the stated specifications for such a tower and that the requester was querying other Towns in the Worcester area. Mr. Manter stated that he thought that if the tower was placed in town, the town could benefit by receiving \$18,000 to \$25,000 in tax revenue per year. He went on to state that Needham assesses approximately one million in evaluation on the Doppler radar tower in that town. Since our zoning does not currently cover such use it would have to be modified. It was observed that the most likely high point in town for such a facility would be on the Hillside tract. Ms. Levy felt that this query should be discussed with Selectmen. Other members of the Board agreed, and Mr. Viscomi stated that he will request to be on the agenda of an upcoming Selectmen’s meeting to discuss it with them.

Ms. Ames asked the Board if there was time for them to review an ANR that she wanted to submit. The Board agreed to review it at the next regular meeting.

**Senior Housing Bylaw** – Mr. Viscomi stated that Mr. Baker and he met with CMRPC. Since Berlin is more like Boylston, they will be using the Berlin Zoning Bylaw as a model instead of the Hopkinton bylaw.

One of the key parameters of the bylaw they will look at is unit/bedroom density. The plan is to have the first draft around March 21<sup>st</sup> with the finished bylaw by the end of March. A special permit will still be required in all cases for any Senior Housing Developments. There was discussion regarding the deadline for presenting the article for the warrant. A place holder has been turned in already. As we have done with past bylaws, the warrant would not contain the full article in it. The full article would be available for viewing at Town Hall and would be handed out at Town Meeting. The public hearing will be scheduled for the regular April 4<sup>th</sup> Planning Board meeting.

Mr. Baker motioned to accept the proposal from CMRPC to use the Board's 24 hours of free planning time for them to help write the bylaw. Ms. Levy seconded; all voted in favor. Mr. Baker will call CMRPC tomorrow to set up a meeting. Mr. Baker informed the Board that Ron Aspero will be coming in later on in the meeting to discuss Senior Housing development from a developer's perspective. The Board tabled further discussion on this subject until that time.

**Public Hearing – Flagg Street** – John Grenier was present with Chris Saks regarding the proposed one lot subdivision on Flagg Street. The storm water plans and waivers were approved by the Conservation Commission. There was a brief discussion regarding maintenance of the infiltration basin. The radius of the cul de sac was increased to 150' as per the building inspector's comments. The property was re-surveyed and is reflected on the new plan. An additional waiver on curbs was requested.

Mr. Baker addressed the requested waivers: Street light -- Mr. Grenier stated that they will be moving the existing utility pole to the inside corner of the cul de sac and a light will be added as per the Police Chief. Guard rails will be placed on the shoulder and ends of catch basin as shown on the plan. A letter from Steve Mero, Highway Superintendent confirmed that he approved a 5% grade instead of a 2% grade.

Mr. Baker motioned that in consideration of the improvements being proposed to Flagg Street, that the Board grant the waiver #2. Ms. Levy seconded; all voted in favor.

Regarding waiver paragraph 3, Mr. Baker asked Mr. Grenier to confirm waivers A-M listed as follows: 5.2.2.p, 5.2.2.r, 6.2.4.a, 6.2.4.b, 6.2.5.b (vertical curves), 6.2.6.c, 6.2.6.d, 6.2.9.a, 6.3.0.b, 6.4.0.a, 6.5.0. a-c, 6.8.0 (allowing high density polyethylene) and 6.10.0 (allowing 100 foot extension of utilities above ground until they go underground). Mr. Grenier was in agreement with all waivers as listed. Mr. Baker motioned that the Board grant waivers to the specific sections listed under paragraph 3 of the Decision, all of which deal with roadway construction. Mr. Manter seconded; all voted in favor.

Mr. Baker motioned to close the Public Hearing; Ms. Levy seconded and all voted in favor.

Mr. Baker motioned the Board approve the Definitive Subdivision Plan with the conditions noted on the draft decision. Ms. Levy seconded; Mr. Viscomi discussed the Covenant and easement of detention basins must take place. Town Counsel stated until the Street is accepted, a homeowners association may be put in place. The Restrictive Covenant on the property to benefit the Town guarantees maintenance to the Town and access to the basin from easement for street purposes to Town for extension. All those items would have to take place for the Town to accept the Road. A roll call vote was taken:

Mr. Manter – yes  
Ms. Levy – yes  
Ms. Ames – yes

Mr. Baker – yes  
Mr. Viscomi – yes

***Vote: 5-0 – Motion approved.***

**Zoning Amendment Bylaw Change** – Mark Donohue, Esq., of Fletcher Tilton was present along with Jill Marquette of Scannell Properties, and Patrick Healy of Thompson Liston. Scannell Properties represents a client who is interested in building a distribution center in Boylston.

Mr. Healy stated that he is proposing an amendment to the Zoning Bylaws to relocate the Flexible Business Zone line along Route 140. The affected property location is owned by Mr. Dipilato and abuts property owned by Worcester Sand and Gravel. The property line between those two tracts zig zags and is partially in the Flexible Business and Residential zones. Mr. Healy is proposing to include all of the Dipilato property and a small portion of the Worcester Sand and Gravel property (approximately 19 acres) that would be purchased from them, within the Flexible Business Zone. The requested change will bring the property line in alignment with zoning bylaw districts.

The business deal for the proposed distribution center is still under discussion and is dependent upon whether this zoning change is approved. There was a brief discussion about residential abutters and it was stated that the closest would be on Sewall Street and Smallwood Circle that would be approximately 1500 feet away from the site.

Attorney Donohue has prepared a proposed use table and associated language for the Zoning Bylaw to allow the inclusion of distribution center usage within the Flexible Business Zone under a Special Permit. Mr. Baker agreed with the proposed language. Attorney Donohue stated that this is an initial meeting for feedback and asked the Board to sponsor the Amendment for the Town Meeting Warrant. Mr. Healy stated that they were scheduled to meet with the Town Administrator and Selectmen May to discuss the proposed project and that they were working on beginning a traffic study.

Mr. Viscomi stated that a temporary place holder for this article had been submitted to the Board of Selectmen for this article pending the Planning Board's approval.

Ms. Levy motioned to keep the place holder for the warrant article and advertise the Public Hearing for April 4, 2016 at 8:45 p.m. Mr. Baker seconded. All voted in favor.

Mr. May, who was present in the audience, asked that Attorney Donohue and Mr. Healy reach out to Kristen Las, Town Planner in Shrewsbury, since property located in Shrewsbury that is owned Secured Financial abuts the tract in question.

**Senior Housing Bylaw: Discussion Continued** – Ron Aspero was present to discuss Senior Housing from a developer's point of view. He stated that he felt the demand is there for such developments. Typically, they are primarily two bedroom, 2 bath homes and are approximately 1,400 square feet in size. The cost of the homes is usually in the \$300,000 range.

He went on to state that such units were single story and usually constructed as Triplexes or Quads, which require fire sprinkler systems. He also stated that since Boylston does not have a sewer system, the maximum unit density is really driven by the Board of Health because of the septic systems.

Mr. Aspero and the Board then discussed zoning scenarios for such developments. In his opinion, these types of developments should only be built on tracts that are 5 or more acres in size and require a Special Permit. The Board discussed possible districts for Senior Housing and Mr. Aspero suggested they also consider the Flexible Business district.

Ms. Levy motioned to adjourn at 9:06 p.m. Mr. Baker seconded; all voted in favor.

**Meeting Materials:**

Letter from Fletcher Tilton dated March 3, 2016 (on file in PB office)

Email from Ariel Stouder re: Doppler tower (on file in PB office)

Definitive Subdivision Plan Flagg Street (on file in PB office)

Compass Pointe ANR Sewall St (on file in PB office)