



Town of Boylston Planning Board planning@boylston-ma.gov
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MEETING MINUTES
Wednesday, November 7, 2018

CHAIRMAN: William Manter,
MEMBERS PRESENT: Richard Baker, Peter Caruso, Homaira Naseem, Judith White
MEMBERS ABSENT: None
RECORDER: Nina Gardner

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

Mr. Caruso motioned to approve the minutes of October 1, 2018. Ms. White seconded; all voted in favor.

ANR 85 Sewall Street-The Board reviewed the ANR and found it meets the requirements for the MUI District. Mr. Baker motioned to approve the ANR for 85 Sewall Street as shown on the plan and to authorize the Clerk to sign. Mr. Caruso seconded; all voted in favor.

Warren Street Public Hearing-Vito Colonna was present on behalf of the applicant, Ron Aspero, who was also present. They are proposing a 1-lot subdivision of land behind the existing home which will remain. There will be a shared driveway, and the house will be located in the center of the lot. They seek waivers for roadway construction. The septic system and home will be out of the buffer zone. They will go before ConCom, as there are some wetlands. Mr. Colonna explained that if they did an ANR in order to obtain frontage and lot width it would have interfered with the existing structure. They will construct a rain garden at the low point of the right of way for stormwater.

Nitin Godiwala, 81 Warren Street, asked about the location of the septic system in relation to his property. He expressed concern for privacy. Christina Willwerth, 64 Warren Street, asked about the size of the rain garden as she is across the street. It will be like the one on Redwood Circle with a slight depression, 40 linear feet. Renee Angell, 29 Pleasant Street, expressed concern for wildlife.

Mr. Aspero could have proposed 2-lots for the property. He is giving up one lot and will put a deed restriction of no further subdivision. Waivers relating to comments #6 and #7 of Graves review were requested. Mr. Caruso motioned to continue the public hearing until December 3, 2018 at 7:30 p.m. Ms. Naseem seconded; all voted in favor. Mr. Baker motioned to have a 53G account in the amount of \$2500 established. Mr. Caruso seconded; all voted in favor.

9 Roseberry Public Hearing-David and Gloria Settle were present to apply for an Accessory Apartment Special Permit for their property. Mr. Manter explained the Accessory Apartment Bylaw. If the current owners sell and move, new owners would have to reapply. The Settles plan to remodel the current garage to an accessory apartment for themselves, and their daughter and son-in-law will live in the existing main house.

Their plan was reviewed. There is an additional parking space to be added, and they have a "T" turnaround. Scott Kelley, 3 Roseberry, asked if they were redesigning the septic system. They are, and capacity will be increased. After further review of the plan to verify conformance of square footage requirements to the bylaw, Mr. Baker motioned to close the public hearing. Mr. Caruso seconded, and all

voted in favor. Ms. White motioned to approve the application of David and Gloria Settle for a Special Permit for an accessory apartment at 9 Roseberry Dr. Ms. Naseem seconded; all voted in favor.

Cross Street Subdivision Public Hearing-Patrick Healy of Thompson Liston was present representing the Town. Gregg Russell of VHB was present to present the road and stormwater management designs. The property is two parcels of Town-owned land on the easterly side of Fuller and the Sportsmen's Club properties. It is 3.5 acres. The Town proposes a new roadway directly across from Pine Hill Drive which will comprise the fourth leg of the intersection.

Mr. Russell explained that the road design was based on traffic studies done for Shrewsbury and Fed Ex. Mr. Healy read a list of requested waivers. Mr. Manter stated there are two issues to address, the layout and the traffic. MassDOT will be limiting Colonial Drive into a right turns only in and out. The School Street H intersection will be closed. East Temple Street or the new road will be used to access Rt. 140.

Mark Barakian stated concern for Light Department access to the utility pole in the terminated Cross St. right of way. The Police Chief has requested two additional lights be placed at the intersection, and they will be added. Irene Symonds, 429 School Street, expressed concern about traffic on her street. She also asked about location of fire hydrants. There was a discussion regarding the need for granite monuments, which would be more costly to the Town. A traffic light at the new intersection was discussed. At present, the traffic counts do not warrant that, although that could change in the future. Mr. Healy will be meeting with ConCom on November 19th.

Mr. Baker motioned to continue the public hearing to December 3rd at 8:00 p.m. Ms. White seconded; all voted in favor. The Board discussed having the plan reviewed by WSP, since they were involved in the FedEx traffic study. Consensus of the Board was that outside review was not needed. Fees were discussed, and all fees will be waived. Mr. Baker motioned that Project review fees be paid from the Planning Board Revolving Account. Ms. Naseem seconded; all voted in favor.

ANR Route 140 LLC Rand Whitney-Brittany Gesner of VHB represented the applicant Rand Whitney for an ANR plan for land being purchased from owners of the Dionis property (DMG). There are 40 acres in Shrewsbury and 26 in Boylston. Rand Whitney will purchase the DMG property to provide sufficient frontage for their existing property. Ms. Gesner reviewed the ANR with the Board. All the property is in the Flexible Business District. Mr. Baker motioned that the Board find the plan meets the frontage and area requirements for ANR approval and that the Board approve the ANR plan and authorize the Clerk to endorse. Mr. Caruso seconded; all voted in favor.

29 Flagg Street-Bond release-Chris Katz was present to discuss release of the bond on his subdivision. The Board reviewed Graves' peer review and discussed guardrails and granite curbs with Mr. Katz. He wishes to keep the road private if the Board will accept deviations for the items listed on the review. Mr. Baker has no objection to the deviations provided they be shown accurately on the As Built plan and that Steve Mero be consulted regarding plowing. Town Counsel should review the ramifications of the street remaining private, particularly possible conflict for snow plowing at the transition between Town and private street. the need of the As Built. Mr. Baker motioned to release the bond in exchange for a personal check in the amount of \$2,500 to the Treasurer for purposes of surety to guarantee preparation of the As Built Plan. Mr. Caruso seconded; all voted in favor.

299 Sewall/Lilymere-Jim Haynes was present to ask the Board if he could build model homes. He would like to build foundations as soon as possible. He will not seek occupancy permits. He has not yet applied for any permits. The Board discussed operation of the Senior Residential Development Bylaw and the need for surety. Mr. Haynes stated he has provided surety for his Stormwater Permit. The Board determined that since the development is not a Subdivision, no lot release or additional surety is required.

Mr. Baker motioned that the Planning Board send a letter to Mr. Zahariadis stating that the Planning Board has no objection to the developer building 3 model homes on the front part of the development. Mr. Caruso seconded; all vote in favor. The Chairman will notify the building inspector that the Board has no objection to the Mr. Haynes building model homes. It is up to the Building inspector to determine if other applicable conditions are met for issuance of building permits.

Mr. Haynes discussed inclusionary zoning with the Board. He was notified by the State, that he must allow families with children under 18 to move into the 3 affordable housing units if they are to be certified. He has already sold many units and those buyers were told it is an over-55 development and no children will live in the community. He discussed giving money in lieu of affordable units. He is having this issue in other surrounding towns as well. Mr. Manter will meet with Selectmen for guidance on how to proceed. Mr. Haynes expressed concern that he doesn't want this issue to slow down the project.

Fed Ex Bond Release-Patrick Healy was present on behalf of Scannell Properties. He requested the existing bond be released as they have met all the requirements of the project. Mr. Caruso motioned to release the bond in the amount of \$1,556,644 issued by Lexon Insurance Company. Mr. Baker seconded; all voted in favor. The Chairman will issue a letter to the surety company.

Mr. Caruso motioned to adjourn the meeting at 9:30 p.m. Ms. White seconded; all voted in favor.

Meeting Materials:

ANR 85 Sewall Street (on file in PB office)
Warren Street Subdivision Plan (on file in PB office)
9 Roseberry Accessory Apartment application (on file in PB office)
Cross Street Subdivision application (on file in PB office)
ANR Route 140 LLC (on file in PB office)
29 Flagg Street Bond (on file in PB office)
299 Sewall Street letter from state inclusionary zoning (on file in PB office)