



# Town of Boylston - Planning Board

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## MEETING MINUTES Monday, September 11, 2023

**CHAIR:** Mark Johnson  
**MEMBERS PRESENT:** Kim Ames, Peter Caruso, Corinna Javier, Homaira Naseem, Richard Baker, Assoc. Member  
**MEMBERS ABSENT:** None  
**OTHER ATTENDEES:** Paul Dell'Aquila, Town Planner, Stephen Madaus, Town Counsel  
**RECORDER:** Nina Gardner

Mr. Johnson called the meeting to order at 6:30 p.m.

**Barnard Hill** – Rich Chehade was present to give an update of the project. He reviewed his punch list dated September 11, 2023. The Board and the Town Planner appreciated the update and requested that Mr. Chehade continue to do the same type of punch list. Mr. Dell'Aquila will reach out before the agenda is posted for the November meeting to confirm there are items on the punch list to address.

Mr. Johnson asked for a moment of silence to honor victims of 9/11.

**270 Shrewsbury Street Public Hearing** - Special Permit/sign - Peter March of New Hampshire Signs was present to seek a special permit for an amended sign for Worcester Building/Yatco at 270 Shrewsbury Street. He requested to withdraw the initial application due to errors in the submittal materials. Ms. Ames motioned to accept the withdrawal and Mr. Caruso seconded; all voted in favor by roll call vote:

Ms. Javier - yes  
Mr. Caruso - yes  
Ms. Ames - yes  
Mr. Johnson - yes  
Ms. Naseem – yes

Mr. Johnson read the public hearing notice for the new application for the sign at 270 Shrewsbury Street. Mr. March described what they intend to do to amend the sign. They are replacing the existing sign by enlarging by 12 feet. They will be moving Worcester Building Systems up. There is a gap right now between Yatco and Worcester Bldg. Systems. They would like to place a digital

message sign in that gap. The current sign is 120 square feet and they are proposing to increase to 132 square feet. The reason they are looking for digital is so drivers will see there is diesel fuel in the back and the entrance to the property is for Yatco, Dunkin, and Worcester Bldg. Systems. It will allow messages to passing traffic clearly as to what is in the store. The sign will have no flashing, no video, no scrolling. It will be straight message transition with a five second delay. Mr. March referred to the bylaw section 10 for a special permit. He stated there will be no negative impact to the neighborhood. It is consistent with other signs in the corridor and be in compliance. It will have ambient light and will be lit 24 hours. He explained what the D fuel is, and the signage will bring more attention to this existing pump which is located in the rear of the property. Mr. Dell'Aquila informed the Board that the sign is consistent with other signs along Route 140. Mr. Caruso motioned to close the public hearing and Mr. Johnson seconded; all voted in favor by roll call vote:

Ms. Javier - yes  
Mr. Caruso - yes  
Ms. Ames - yes  
Mr. Johnson - yes  
Ms. Naseem - yes

Mr. Caruso motioned to approve the application for a special permit for the sign at 270 Shrewsbury Street with the conditions as noted by the applicant regarding delay and no flashing video. Ms. Ames seconded; all voted in favor by roll call vote.

Ms. Javier - yes  
Mr. Caruso - yes  
Ms. Ames - yes  
Mr. Johnson - yes  
Ms. Naseem - yes

Mr. Dell'Aquila informed the applicant that the Decision will be signed at the October 2, 2023 meeting and there will be a 20-day appeal period.

**8 Gulf Street Public Hearing** – Matthew Watsky, Esq. and John Grenier of JM Grenier were present on behalf of the applicant. Stephen Madaus, Town Counsel recapped the history of this application. His colleague, Attorney David McCay, handled the litigation of the original application of January 21<sup>st</sup> and is still handling this case. The Board voted previously to deny the Special Permit for the SRD. The applicant has the right to appeal decisions to land court within 20 days. The second application to the Board for another SRD on this property was received. It is the opinion of Town Counsel that the applicant had no authority to file the second application because the first one was still in the jurisdiction of the land court. The Board informed the applicant they had no authority to render a decision on the second application because the first one needed to be remanded back to the Board. The applicant filed the motion to have it remanded and the land court approved to remand the first application back to the board. The Board has 60 days to hear the applicant and 30 days from the close of the public hearing to issue a Decision. The Board has to either approve the revised plan or deny and advise the Court. Abutters have the right to appeal. Attorney Watsky introduced himself and John Grenier, the Engineer. He stated if necessary, the

hearing can be continued if the Board needs more time. He reiterated the Board had 20 days to report to the Court after Decision is issued and the applicant would file a stipulation of dismissal of the lawsuit. That would be the end of the litigation brought by his client against the Town. He also stated there were a series of mediation meetings to address concerns of the Board of the plans.

Attorney Watsky reviewed the revised plan. The units are all designed to be accessed from the sidewalks without steps. It will be a simple thing to customize units to be handicapped accessible. Revisions were made to the plan to address concerns the Board had. Also, the latest Graves Review #1 dated June 8, 2023 was taken into consideration for the revisions. Some of those were density, area of open space, common space, change from 20 to 18 units, pocket park created include a triangle pergola. There will be a sitting area with benches. There will be a walking trail behind the units that circulates through the property to all open spaces and also will be handicapped accessible.

The stormwater report has been revised and the retention basins were redesigned because of the proximity to the walking trail. There are no substantive changes to wetlands. There is more open space than before. Traffic circulation through the property has been addressed by adding two cul de sacs on the plan. A traffic report was submitted originally and still valid and included in the new package. That report stated the traffic would not be significantly affected, and now, with less units still stands. The walking trail was described by Mr. Grenier and all open space and features will be owned by the Homeowner's Association and maintained by the HOA. There is overflow and visitor parking for anyone wanting to visit or walk and use open space.

There was further discussion between the Board and the Engineer about the revised Plan. One item was the location of the affordable units. They are next door, but offsite so they are not shown on the plan. There was no application for seeking approval of the offsite of affordable units. Attorney Watsky stated they will file an application in time for the next hearing. The Board has not received any response from Graves since new material was received from the Developer but is in process.

Raina Schenkel, 134 Sewall Street, expressed concern about the walking trail being open to the public and community. Many residents were present and expressed concerns regarding traffic, parking, and Jonathan Crutchfield, 18 Gulf Street, expressed his concern about losing his privacy and wildlife being affected by the clearing of land. Many other residents spoke to express their concerns over the project regarding traffic and safety with no sidewalks. They also expressed concern over all the development in Town. Mr. Johnson explained that landowners have the right to sell their property and develop if it meets the requirements of the bylaws. Mr. Dell'Aquila stated that conditions can be put in the Decision for the Senior Residential Development and the public hearing is the opportunity for residents to express their concerns.

Bill Manter, 178 Main Street, addressed the Board and those present with a prepared statement dated September 11, 2023 and requested it be part of the official meeting records. He spoke about the Senior Residential Bylaw being written while he was on the Planning Board and the intent with which it was put into effect. He spoke about the Master Plan for the Town and that there is not actually much land left in the town that is on the market to develop at this time. He urged the Board to approve this project.

Mr. Crutchfield spoke again regarding what type of trees would replace what was being clear cut. Mr. Grenier stated white pines. He is concerned because there is a difference in elevation behind the homes. The timeline of the project was mentioned, and it is usually market driven. All the other Senior Residential Developments in Town have sold before being built.

Traffic on Sewall Street was discussed again and the fact that no upgrades have been done to the Street. Residents were informed that the traffic and road improvements are being looked at and the Town is working with CMRPC.

Since Graves has not sent a new review, Ms. Ames motioned to continue the public hearing until Monday, October 2, 2023 at 6:30 p.m. and Mr. Caruso seconded; all voted in favor.

Attorney Watsky asked if there were any questions about the Graves review, should they coordinate through Mr. Dell'Aquila, and he confirmed they should.

**22 Diamond Hill/WKS** – Patrick Healy was present along with Wayne Sauer, the property owner. The Board reviewed the draft Decision for signature. At the last meeting, the Board approved the Subdivision pending final review from Graves which was received and is satisfactory. Mr. Dell'Aquila drafted the Decision for the Board to sign.

Ms. Ames asked if the applicant needed a Bond. That prompted a discussion for clarification of what the applicant needed. Town Counsel stated he could do a deposit of escrow, a Bond, or a Covenant.

The property will remain private. They could do completion of water, utilities, and pavement. and do a base coat. Then, a Bond for what is left. Mr. Dell'Aquila stated that under Condition #4 is not specific, but speaks about options. A Covenant would be one of them.

**100 Shrewsbury Decision** was drafted by Dell'Aquila to be endorsed. A condition was added that no food service will be at this location.

Ms. Javier motioned to approve the meeting minutes of August 7, 2023 and Mr. Johnson seconded; all voted in favor.

Mr. Caruso motioned to adjourn at 8:47 p.m. and Ms. Naseem seconded; all voted in favor.

**Meeting Materials:**

8 Gulf Street – SRD application (on file in PB office)

270 Shrewsbury Street special permit sign application (on file in PB office)

22 Diamond Hill Decision (on file in PB office)