



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

**January 12, 2015**

**CHAIRMAN:** Ralph Viscomi  
**MEMBERS PRESENT:** Kim Ames, Richard Baker, Laurie Levy, Bill Manter  
**ASSOCIATE MEMBER:** Judith White  
**MEMBERS ABSENT:** None  
**RECORDER:** Nina Gardner

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

**Compass Pointe** – Jim Venincasa was present. Mr. Viscomi informed the Board members and the residents in the audience that Mr. Depietri of The Capitol Group, who requested this meeting, would not be attending as originally planned. Mr. Viscomi stated that he was informed by Mr. Depietri at 3:00 p.m. today that the principal of Signature Homes, Mike Venincasa, turned down the purchase agreement submitted by The Capitol Group. The only reason for the turn of events provided by Mr. Depeitri was that Mr. Venincasa changed his mind and decided to finish the project on his own.

Jim Venincasa confirmed this and stated he was no longer working for Signature Homes or Monogram Builders. He is now working with The Capital Group. He stated that he wanted to thank the residents, and the Board, for their patience regarding the project and that the situation, as well as any outstanding issues on the project, are beyond his control. Mike Venincasa will be the primary contact from now on.

Mr. Viscomi stated that Mike Venincasa is still accountable for the items in the letter dated December 8, 2014. Due to this new development, he recommended that it may be in the best interest of the Town for the Board to find Signature Homes/Monogram Builders in default of the Performance Agreement. A letter to this effect would be sent to Mr. Venincasa giving him five (5) business days to remedy all outstanding issues. If they are not resolved in that timeframe, the Board could proceed to call in the Performance Bond at that time.

Mr. Manter motioned that Mr. Viscomi work with Town Counsel to draft, and send, a letter of default to Mr. Venincasa. Mr. Baker seconded. Mr. Viscomi opened up the meeting for comments regarding this motion.

Marsha Farrington, 3 Northeast Way, asked if the streets would be finished if the Bond is called. Mr. Viscomi stated that once the bond is called, either the surety company or the Town will have the streets and sidewalks completed. Once they are completed, the acceptance of the road by the Town could be potentially be put on a warrant for approval at Town Meeting.

It was also stated by the Board that calling in the bond would not preclude Mr. Venincasa, as the owner of the land, from obtaining building permits for the lots that have already been released. Paul Baril, 8 Compass Circle, asked if Phase 2 could take place. Mr. Manter explained that Phase 2 would require a new Performance Bond as well as additional contingency funds for any possible repairs needed to the completed streets in Phase 1. Mr. Baril, and others, mentioned areas in the upper section that were dug up, disturbed or had tree stumps on them and asked if the bond would cover any clean up. Mr. Viscomi stated that the bond would only cover work to the subdivision infrastructure, such as roads, sidewalks and lights, not any grading to undeveloped lots.

Marsha Farrington asked if tree cutting could still continue and it was again stated that Mr. Venincasa owned that property and could do that. Mr. Baker pointed out that there are restrictions monitored by the Conservation Commission regarding Stormwater Control to prevent any erosion issues. The developer still has to abide by those restrictions. It was also stated that the Conservation Commission also has a Performance Bond in place for Phase 1.

Mrs. Slecowski, 1 Northeast Way, asked if the home on Lot 30/2 Northeast Way would be completed. Mr. Viscomi stated that was one of the conditions in the letter of December 8<sup>th</sup> and it was still Mr. Venincasa's responsibility to do so. Lori Esposito, 2 Compass Circle, asked Jim Venincasa if he still intended to plow the streets when it snowed. Jim informed her that he is no longer responsible for anything to do with the project, but that Dean still works for Signature Homes and would be responsible for that.

Members of the audience asked how the roads would be completed. Mr. Baker stated that it depended upon the surety company. Some companies will handle the road project themselves so that they could control the costs and potentially complete the work for less than the total amount of the bond. In other cases, the Town would have to undertake the role of project manager to complete the roads. If that occurred, it could potentially take a longer period of time for the work to be completed since the Town would be required to put the project out for bid.

The residents were also advised that if the bond was called in, there may be a chance that the developer may cease plowing the road for the rest of the winter. Mr. Manter suggested the neighbors get together to establish an account for plowing as well as contacting the light department to have the street lights turned on. Mr. Viscomi

reiterated that if the Bond is called, it could be April or May at the earliest before the road is completed.

Paul Baril, 8 Compass, informed the Board there is a large, deep hole across the street from him, that children are playing in it and it is potentially dangerous. The Board will consult with Town Counsel regarding the hole to determine how best to proceed with addressing the issue. Nick Alexadias, 4 Compass, asked if Signature Homes declared bankruptcy and another developer took over the project, would they need a new Bond. It was stated that the Bond is for the benefit of the Town, not the developer, and it would have to remain in force. Ms. Levy gave Longley Hill as an example of a subdivision that was sold and completed by a different developer.

Jim Venincasa told residents that Lori Venincasa is the contact person they should call at Signature Homes if they have any questions or concerns. Mr. Manter reminded the residents that in order for Phase 2 to be approved, any lot line issues need to be resolved and the detention pond needs to be cleaned. All outstanding issues must be addressed.

The Board voted unanimously in favor on the motion to send the Default letter to Signature Homes / Monogram Builders.

Mr. Manter motioned to adjourn at 7:23 and Ms. Ames seconded; all voted in favor.

**Meeting Materials:**

None