



**Town of Boylston** Planning Board [planning@boylston-ma.gov](mailto:planning@boylston-ma.gov)  
221 Main Street, Boylston MA 01505 \*\* Telephone (508) 869-6019 \*\* Fax (508) 869-6210

**MEETING MINUTES**  
**March 30, 2015**

**CHAIRMAN:** Ralph Viscomi  
**MEMBERS PRESENT:** Kim Ames- 7:02 arrival, Richard Baker, Laurie Levy,  
William Manter  
**MEMBERS ABSENT:** Judith White- Assoc. Member  
**RECORDER:** Nina Gardner

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

Casa Builders – Compass Pointe – Alex Richov was present for Casa Builders and Developers to give an update to the Board regarding Compass Pointe. He informed the Board that Steve Venincasa is negotiating terms of an agreement with the bank and he should hear something definitive from the Bank tomorrow. A few members of the bank's executive board were on vacation and that has delayed the finalization of the agreement. Alex told the Board that Steve has a verbal agreement with Mike Venincasa and a purchase and sales from Country Bank. There should be no further road blocks as they continue to negotiate some of the terms. Ms. Levy and Mr. Viscomi voiced their continued concern that Mike will back out. There was a discussion pertaining to whether Steve Venincasa could possibly be buying the note from the bank and then foreclosing on Mike. Ms. Levy is concerned about voting to pull the bond on April 6<sup>th</sup>.

Lauri Esposito, 2 Compass asked the board why delay calling the Bond – Mr. Viscomi explained to the residents that were present that the process of the Town pulling the Bond will take a much longer period of time versus Casa Builders taking over the project. Several residents stated that they have concerns about the project being unfinished. Mr. Viscomi explained that the Bond only covers completing the Phase 1 road.

There was discussion as to waiting one more week to make a decision at the Board's regular meeting to give Steve Venincasa a little more time to hear from the bank. Although, there is the concern about the timing of calling the bond and getting the road paved before next winter. Mr. Baker informed the residents that the Surety company is aware there are problems and the strong potential of our calling in the bond.

Mr. Richov stated this type of project cannot just be acquired overnight and it has been difficult to perform a due diligence and they are doing everything they can to move forward to close the deal. He informed the residents that if they are going to take over the whole project, it is their

preference to complete the road themselves at the high quality level they would complete it. Mrs. Farrington, 3 Northeast asked about the damage to the road that would occur to get to the second phase of the project. She was informed that the new Bond that is required for Phase 2 will include monies to cover any damages to the road.

Mr. Manter suggested perhaps Steve Venincasa could provide written confirmation of progress and Mr. Baker suggested that perhaps the Bank's attorney would speak with Town Counsel. That would provide the Board some assurances that the negotiations are in fact moving forward. Ms. Levy questioned what involvement Mike Venincasa would have in the ongoing project, and would vote to call the Bond if he did have any part in the project going forward. Mr. Baker motioned that the Chairman contact Town Counsel to determine if he can get information directly from the principal in negotiations. Mr. Manter seconded; all voted in favor. Mr. Viscomi provided his phone number and requested that Mr. Richov have Steve Venincasa call him as soon as possible.

**Public Hearing – Schedule of Use Regulations** - At 7:30 p.m. Mr. Viscomi called the Public Hearing to order for the Schedule of Use Regulations.

Sharon and Jim Ricciardi were present to discuss what changes were made and that they had some concerns. Mr. Baker explained that basically the board changed back the zoning bylaw to the way it was prior to the Rte. 140 zoning changes. A number of items were inadvertently deleted when a study had been done. The board reviewed the changes with the Ricciardis. Mrs. Ricciardi questioned the square footage requirements that were defined. Since their property is partially in the Village Business district and partially in the Industrial Park district, she asked if they would be grandfathered if they wanted to do anything in the future. They were counseled that they would have to speak to an attorney regarding that because such decisions fall back to the State.

Mr. Manter stated that was why they were advised not to do an ANR in the past because they could possibly not meet the frontage. The ZBA could hear the case because the long and narrow part of their property exceeds the 2 acres for IP but not the 250' frontage. Mr. Baker stated the problem is unique because of the odd shaped lot. There was further discussion regarding the preexisting barn on the property, and the two zones. Mr. Manter stated that the new chart will be presented at Town meeting and needs a 2/3 vote to be approved.

Mr. Baker motioned to close the hearing and recommend at Town Meeting that this proposed change be approved. Mr. Manter seconded; all voted in favor.

**Public Hearing – Solar Panel Bylaw** - At 7:45 p.m., Mr. Viscomi called the Public Hearing for the Solar Panel Bylaw to order. Mr. Viscomi had spoken to Chief Flanagan who recommended a number of fire safety guidelines be added to the draft (page 6, #3). Town Counsel has approved that change regarding roof safety. Mr. Baker informed the board that the Department of Energy update on Solar Bylaw recommends roof top panels be allowed by right. Our roof top bylaw should not conflict with the state building code, but requiring a Site Plan

review should be fine. The Board briefly discussed medium scale systems requiring a site plan review if they have to comply with State requirements, and larger systems on multiple buildings on a given lot. Mr. Baker stated most towns allow medium and small roof top panels by right. The Board discussed applications for solar installs in the historic district that have to be approved by the Historic Commission first. There have been precedents and the state used a church as an example. The solar panels were all on the rear facing roof where they could not be seen from the road. There was further discussion about roof panels and their height from the roof. It was decided that it is a building code issue.

It was the consensus of the Board that the only change they would make in the bylaw draft is the one the Fire Chief recommended. The warrant article will only have a synopsis of the bylaw. Mr. Manter motioned to continue the public hearing on the Solar Panel Bylaw until April 6<sup>th</sup>. Mr. Baker seconded and all voted in favor.

There was a brief discussion regarding Fitness Asylum and what requirements will be needed for a site plan approval. Ms. Lefrak, the owner, will be on the April 6<sup>th</sup> agenda.

Mr. Manter motioned to adjourn at 8:35 p.m. and Mr. Baker seconded; all voted in favor.

**Meeting Materials:**

Solar Panel Bylaw draft (on file in PB office)

Schedule of Use Regulations (on file in PB office)