



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

Meeting Minutes July 24, 2014

CHAIRMAN: Ralph Viscomi

MEMBERS PRESENT: William Manter, Richard Baker

MEMBERS ABSENT: Kim Ames, Laurie Levy

RECORDER: Ralph Viscomi

Mr. Viscomi called the meeting to order at 9:03 a.m.

Dr. Baker explained to the attending board members the reasons he requested this meeting to discuss the Barnard Hill decision. Dr. Baker stated that as he was writing the Decision document, he realized that there were several procedural errors the Board made during the Public Hearing for the subdivision plans, which was closed and approved on July 7th.

In that vote, the Board approved the four waivers on the amended plan as well as two additional conditions – 1) that all prior conditions remain in effect; and 2) that a Graves Engineering review of the amended plan find it to be free of defect.

Of particular concern to Dr. Baker was the fact that the Board did not discuss with the applicant the expiration date of the subdivision approval. Since the plans were originally recorded on August 11, 2009, with five- year duration, the expiration date would be August 11, 2014. If the state mandated extensions apply, the approval would expire on August 11, 2018. If not, it would expire on the decision date (8/11/2014).

The additional condition the Board approved, that the subdivision plan be free of defect based upon a review by Graves Engineering, caused another issue. In the waivers on amended plans the developer used the 2012 subdivision rules as his basis, but in its review of the plans Graves used the 2002 subdivision rules. While the Board members in attendance did not think there would be any significant technical defects due to this difference, it is a procedural error that may be an issue in the future.

After much discussion, Mr. Manter motioned that the Board inform Thompson-Liston Associates, Inc. that technical differences cited by Graves Engineering and the lack of having the review be done prior to the vote on waivers makes us question our procedure and offer the option to reopen the Public Hearing

or discuss the technical changes and re-vote the waivers. If they do not agree to this, we will make the decision on the subdivision plan as it stands now. Mr. Baker seconded the motion and the members present voted to approve.

Dr. Baker motioned that the Board amend the prior vote made on August 7, 2014 by adding additional conditions to the approval. Mr. Manter seconded the motion and the members present voted to approve.

Dr. Baker then motioned that the following conditions be added.

1. The subdivision approval will have a five-year expiration from the date the Decision is filed.
2. That conditions recommended by Graves Engineering in their July 15, 2014 letter regarding storm water be added.

Mr. Manter seconded the motion and the members present voted to approve. After a brief discussion, Mr. Viscomi stated that he would contact Mr. James Tetreault at Thompson-Liston Associates, Inc. to explain the situation, provide him with the options available as well as the amended approval conditions.

Mr. Manter motioned to adjourn at 9:50 a.m., Mr. Baker seconded; all voted in favor.

Meeting Materials:

Plan of Subdivision dated July 16, 2014

Letter from Graves dated