



Town of Boylston Planning Board planning@boylston-ma.gov

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MEETING MINUTES Monday, July 11, 2016

CHAIRMAN: Richard Baker
MEMBERS PRESENT: Kim Ames- 7:50 arrival, Laurie Levy, William Manter,
Judith White-6:50 arrival
MEMBERS ABSENT: Ralph Viscomi, Associate Member
RECORDER: Nina Gardner

Mr. Baker called the meeting to order at 6:35 p.m.

The Board reviewed the meeting minutes of June 6, 2016. Ms. Levy motioned to accept the minutes as amended and Mr. Manter seconded; all voted in favor.

Mike May-Camp /Compass Pointe -- Mr. May of 603 Cross Street in Boylston was present as a private citizen, not in his capacity as Selectmen. He was approached about 1 ½ years ago about a preservation plan for Camp Harrington. A 503-1c nonprofit has been established. There is a purchase agreement for land with the YMCA for \$850,000. Mr. May presented a plan for an over-55 development that included 8 buildings, 26 units total. They would be built at a 75-foot setback as required, with an emergency access road of 18 feet width. The preliminary agreement is to tie in all abutting land so as to have open space with a variety of recreational uses blending over 55 community and the all-age community in the neighborhood. The Developer would undertake significant improvements to the property. Mr. May is seeking preliminary feedback and guidance on how to proceed. Mr. Baker stated that he had a previous discussion with Mr. May, and he encouraged others on the board to ask questions. Mr. May stated this is an important project for the town, because it will include an art center, a pavilion, 3 ballfields, and picnic areas. The developer is rehabilitating the beachfront and will include ladies/mens' rooms. The Town will not be asked for any funds. Some of the existing properties will require demolition. The work is provisional on the Attorney General's approval of the Senior Residential Development zoning article, anticipated in August. This plan is separate from the over-55 proposal discussed by the developer of Compass Pointe. Mr. Baker discussed inclusionary zoning, and Mr. May will address the possibility of a monetary option. That will be addressed separately. He will ask Town Counsel's advice and present a petition to the Selectmen. Mr. Baker stated his willingness to assist with the inclusionary housing requirements, perhaps involving the CMRPC. Mr. Baker briefly explained the history of the Inclusionary Zoning Bylaws. In October 2004, it was brought forward by the Affordable Housing Committee. 40B applications were before the town. The state offered mechanisms for towns to protect themselves from aggressive 40B proposals, and inclusionary zoning was one such option. A discussion ensued about seniors trying to downsize, as opposed to younger couples meeting low income requirements. A zoning change would have to be made at Town Meeting if there is to be an exemption to the inclusionary zoning requirement. Ms. Levy asked about a traffic study for Sewall Street. Mr. May stated that Sewall Street traffic was being considered as part of the larger Rt. 140 traffic studies being completed by a Rt. 140 developer.

Mr. May asked for preliminary feedback on the plan, because he has a July 15 deadline for agreement with the YMCA. He will submit a final plan at a later date. There are benefactors who want to donate, and he needs to visit with them as well. The Board unanimously endorsed Mr. May's effort and preliminary plan. Sue Slezowski, 2A Northeast Way, asked about rumors of trails being built close to homes on Compass Circle. The proposed trails will be on the back side of Compass Pointe, on the outer loop and connecting with the sidewalk by the elementary school near lot 24. Parking was discussed. It would be at the entrance with 24 available spots. There will be no vehicle access to trails. Mike Kent stated they would meet with homeowners. Ms. Levy brought up the fact that over 55 prospective buyers should know when they buy that the trails were being considered, but the current Compass Pointe homeowners were unaware when they purchased. The property will be administered by Town residents but owned by the non-profit. Parks and Rec would administer the open space parcel, and they could choose to issue permits which could be "Town Residents Only". Parks and Rec would carry a certificate of insurance issued to the Non-profit for liability. The non-profit would carry its own insurance and release of liability. Mr. May stated that when there is a plan and an agreement, he will invite neighbors and interested parties to meet.

Compass Pointe-lot release -- Jim Haynes and Mike Kent were present to ask the Board to release an additional 5 lots. They briefly discussed inclusionary zoning. Mr. Kent asked if it was a state law. Mr. Baker explained that Chapter 40B requires towns to have 10% affordable housing. Mr. Haynes stated that previously the board released six lots on Compass Circle phase 2B, and they now have additional roadway for additional homes. They requested the release of Lots 44, 47, 6, 7 and 8. The remaining roadway of Compass Circle is gravel. The Fire Department has inspected and issued a letter, which Mr. Haynes presented, stating that they could drive through Compass Circle. Mr. Baker reviewed the Subdivision Bylaw reviewing that no more than 6 homes can be on a temporary cul de sac. Presently, there are 8 on 1 side and 6 on the other. Any more would require a waiver and a public hearing. Mr. Manter suggested paving the entire road if lots are selling. Mr. Baker stated a release of additional lots is possible, but not without going through the proper procedure. The Subdivision rules have to be followed. The Board is aware the builder has no intention of walking away, but there is no guarantee of that without surety for a completed street. If left in its current condition, the road would not be accepted as a public way. Mr. Kent left the meeting at this point and stated he was finished negotiating. Mr. Baker pointed out that the conditions of subdivision approval prohibited more than 15 houses being built in a year. The discussion then continued with Mr. Haynes regarding justification for a waiver. They reviewed the progress, and paving would be completed to lot 42. Mr. Haynes stated utilities are going in on Tuesday, and base will be to grade. There was further discussion regarding binder and surety. Mr. Haynes feels each case should be considered on its individual merits. He emphasized that they are trying to build the houses quickly, and it requires substantial money to complete a project such as this. The Planning Board and Conservation bonds overlap to some degree, and that can be considered as a means to reduce the roadway surety. The developer is proceeding quickly as noted by Mr. Manter. There was further discussion of options for reducing the required surety, possibly by as much as \$30,000. Mr. Baker stated a willingness to meet with the developer soon to resolve this surety problem.

Public Hearing-696 Linden Street Public Hearing -- Craig Buttner represented the owner with an application for an accessory apartment special permit. The plan is for a new building on an existing foundation from the original Cape style home which was demolished. It will be in front of the new larger home being constructed. It will be 26 feet from the house. It will meet the area and setback requirements with 993 square feet of living space. The accessory apartment will benefit the owner as she ages, and someone could live there to help her. The owner has included a letter certifying that she

will be the occupant of the residence or the accessory apartment and further, that she understands the permit for the accessory apartment will not transfer if the property is sold.

Mr. Baker reviewed the findings required for an accessory apartment permit. Ms. Levy motioned to close the public hearing; Ms. White seconded; all voted in favor.

Mr. Baker stated that a condition of approval will be that a new permit for the accessory apartment will be required if title is transferred to a new owner.

Ms. Levy motioned to approve the special permit and issue a decision to that effect within 15 days. Mr. Manter seconded; all voted in favor. The Town Clerk will mail the decision to Mr. Buttner after the 20-day appeal period.

8 Gulf Street -- Chip Burkhardt and John Verock were present to discuss their Preliminary Plan for a 3 lot subdivision. Graves Engineering reviewed the plan and made comments, which were provided to the applicants. Mr. Baker asked if the subdivision road would be private. The Board supports low impact development design, but as proposed, many waivers would be required, including sidewalks. If it were to be accepted as a Town street, the number of waivers would be problematic. If the street were proposed as a statutory private way, an HOA to provide for maintenance of the street and stormwater facilities would be required. Mr. Baker reviewed the Subdivision Rules regarding preliminary plans. The width of the road was discussed. The plan indicates 20 feet. Mr. Manter suggested an 18' width if private. The Board would prefer the road to be private, with a "T" turnaround and to be maintained by an HOA. Mr. Manter motioned to approve the plan with the provision that the street be a statutory private way to be maintained by HOA and of 18' width as long as that is approved by the Fire Department for safety, and further, to authorize the Chairman to sign the decision. Ms. Levy seconded; all voted in favor.

Mr. Baker will draft the decision in a few days and file with the Town Clerk.

270 Shrewsbury Street-Dunkin Donuts Public Hearing -- Mr. Baker opened the public hearing on the petition by Worcester Donuts, Inc. for a special permit to allow multiple buildings on one lot. James Tetreault of Thompson Liston reviewed the plan for redevelopment of the existing Dunkin Donuts site at 270 Shrewsbury Street. It comprises 7.3 acres. They propose connecting the upper portion of the lot on which the gas station/convenience store/Dunkin' Donuts operations will be located, to the lower portion on which two additional industrial buildings will be constructed. Multiple building on the lot are allowed by special permit.

A new 50' x 100' building will be constructed with pumps in front. Traffic will enter on the right and exit on the left. There will be 30 parking spaces on the upper level. Worcester Donuts will store vehicles from their other businesses in the other two buildings. The site is served by town water, and they have added a fire hydrant to the plan per the Fire Chief's request. The diesel pumps will be in the rear. There will be 120 feet of queuing length between the service window and the order board, and total distance from the entrance is 250', allowing for 11 to 12 cars. There will be a retaining wall separating the site from the Dragon 88, and there is an existing retaining wall next to the abutter on the left. The Board agreed that the redeveloped site will be a major improvement of the existing facility.

Mr. Tetreault reviewed the letter from Graves dated July 10, 2016 point-by-point.

3. Snow storage – five separate areas are shown on plan. If there are any issues from ConCom, they will accommodate the changes.
4. On Sheet D8, fixtures will be LED.
5. On SL2, typical length shown on parking is 19 ft. length. Material details are shown on Sheet D7.
6. Hydrant been added.
9. Changes in Sheets SL2 and G3 regarding trees were made.
10. Applicant has requested a waiver from Route 140 development guidelines to eliminate landscaping in front of the property so as not to obstruct sight lines for traffic entering and exiting the site.
11. Applicant has requested a waiver from Route 140 development guidelines to allow 10 parking spaces in front of the building
12. One parking space was converted to a parking area for bicycles, including a bike rack (shown on SL2).
20. Soil types have been corrected on the plan. Changes do not affect drainage calculations.
29. Total suspended solids calculations – Plans call for CDS Units for which MASTEP and TARP testing results do not exist. Applicant will defer to the ConCom on the use of CSD units.
34. Revised plans include provisions for temporary sediment basins, and blank forms for record keeping of erosion and sediment control inspections and maintenance are included.
42. Grading was changed per GEI recommendations.
43. Cape Cod style berms have been added to the plans with details shown on D7.
44. Viewport window on sheet SL2 has been maximized to shown the applicable areas.
45. A note has been added to sheet SL2 explicitly explaining queuing length, enough for 12 cars.
46. Delivery area has been widened to 12 feet as shown on SL2

Elizabeth Hanson was present for Mary Borgatti, an abutter. She questioned construction activities affecting Mrs. Borghatti's property. The retaining wall that borders the Borgatti land will be left in place, and her property will not be encroached.

Mr. Baker reviewed the findings required for approval of the site plan and special permit. Mr. Branca provided a draft of proposed findings which were reviewed and discussed by the Board. There is no gate proposed to limit access to the lower level. There are additional 20 parking spaces in the rear of the building for employees or overflow parking. The site is served by existing public utilities. There will be little increased impact on Town services, and tax revenue will be increased by virtue of the property improvements and excise taxes on vehicles being housed in the new garages. The new design will be much safer than existing building and traffic flow. The underground tank areas will be fenced during replacement, and there will be little expected disruption to traffic during construction.

Ms. Levy motioned to close the public hearing. Ms. White seconded; all voted in favor.

The decision will be for both site plan approval and the special permit. All improvements will be made as specified on this plan. Ms. Levy motioned to approve the Site Plan and Special Permit for the use stated, consistent with the deliberations tonight. Mr. Manter seconded; all voted in favor. None opposed. A decision will be issued by next Monday, and there is a 20-day appeal period.

ANR 525 Linden Street - The Board reviewed the application for an ANR from David H and Arlene Murphy. The Board noted that the area of the lefthand lot was not noted on the plan. Mr. Manter motioned to deny the application because it does not demonstrate that lots meet zoning area requirements. Clarification is needed. Ms. Levy seconded; all voted in favor of the motion to deny the ANR. The board may have the opportunity to meet and review the plan again before the regular meeting.

Ms. Ames motioned to adjourn at 9:30 and Mr. Manter seconded; all voted in favor.

Meeting Materials

Plan for Camp Harrington/Compass Pointer (on file in PB office)

Compass Pointe Plan (on file in PB office)

696 Linden Street Public Hearing Notice and application (on file in PB office)

8 Gulf Street Preliminary Plan (on file in PB office)

270 Shrewsbury Street Site Plan/Special Permit, draft Decision (on file in PB office)

ANR 525 Linden Street (on file in PB office)