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

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**MEETING MINUTES**

**Monday, August 1, 2016**

**VICE CHAIRMAN: Richard Baker**

**MEMBERS PRESENT: Laurie Levy, William Manter, Judith White**

**ASSOCIATE MEMBER: Ralph Viscomi**

**MEMBERS ABSENT: Kim Ames**

**RECORDER: Nina Gardner**

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

The Board reviewed the meeting minutes of July 11, 2016. Ms. Levy motioned to approve

the minutes as amended. Mr. Manter seconded; all voted in favor.

The Board reviewed the meeting minutes of July 21, 2016. Ms. Levy motioned to approve

as amended and Mr. Manter seconded; all voted in favor. Ms. White abstained.

**Barnard Hill Update**-Nick Sivieri was present to give the Board an update of the development.

He presented a diagram of the lots which were color coded. They have 2500 feet of road to lots

13 and 14 at the end of paving. Five lots are under construction and they will be starting the sixth lot.

They are all sold. They have four more sale pending and are ready to begin construction. They are not able to do at this time because the lots are not released. Mr. Sivieri informed the board they have continued construction of the road to enable a second means of egress. They have two forms of surety in place, one for $590,000, and the other a cash deposit of $143,000. The bond for the road to complete would be a little shy of $2M. They started construction at Jacobsen Way, but stopped because the neighbors objected even though they were notified. A gate was installed. The agreement between developer and Shrewsbury neighbors has expired. They have prospective buyers, but it will require raising funds for the needed surety to get the additional lots released. He appreciated the board reaching out to get an update and hear about the challenges they face.

Ms. Levy asked Mr. Sivieri if he has found that Boylston is more restrictive than other towns he has worked in. He described a previous experience where he was allowed 12 lots to be phased with two lots released at a time, with funds from the first two homes put towards the next homes. Mr. Sivieri stated there are several soft costs such as Boylston Light charges and taxes of $35,000 dollars per quarter. Those soft costs add up and make it difficult for the developer to proceed because they have already committed half a million dollars for surety and over $100,000 for taxes and infrastructure costs. The Board discussed possible solutions to be fair to developers and still protecting the Town. They further discussed the need to finish the street and bonding. Barnard Hill cannot build from both ends to the middle like Compass Pointe due to utility connections from Shrewsbury.

Mr. Baker stated that some towns have phasing written into their Subdivision Rules, and each phase is explicitly spelled out. Mr. Sivieri informed the Board they thought the initial approval was approved in phases, but that was an oversight on their part. He thanked the Board for inviting him, and Mr. Baker stated the Board is open to any creative ideas to help the project move forward.

**Developer Friendliness-**Selectman May was present and informed the Board the Selectmen are working on a report looking at whether Boards in town are developer friendly. The Selectmen would like to know what steps can be taken to make the Town more developer friendly. They have invited boards to attend the Selectmen’s meeting on Monday, August 8th to discuss strategies to help residential developers proceed with projects in a timely manner while still abiding by the statutory requirements and subdivision rules. Town Counsel confirmed that the Planning Board has acted in a consistent manner and would like his comments forwarded to the Town Administrator so that he can pass them on to the Selectmen.

Mr. Viscomi reminded the Board that as Chairman, he looked into surrounding towns' rules regarding cul-de-sacs. He found that the majority limited lots to an average of 5 and up to 10 on a 500-700-foot road. Ms. Levy feels that the Board could look at the subdivision rules to see if there is something that can possibly be modified as far as lot releases for future developments. She thought it was great that Mr. Sivieri came in to speak to the Board. It was noted that there is a piece of property for sale on Main Street of 57 acres that could come to the Board as a large subdivision in the future. Mr. Viscomi stated that the bonding requirement is something that cannot be changed. The Town could assume a risk and accept a lesser bond. Ms. Levy stated the Board trusts Graves Engineering, and its estimates are made considering prevailing wage and the current cost of asphalt. Mr. Manter suggested that perhaps as a form of surety, developers could have an escrow account with the town to capture proceeds from sales. Town Counsel would have to approve that. Mr. Baker pointed out that the Board has already granted waivers to the present developers: Compass Pointe received a waiver of 8 homes instead of 6 on a cul-de-sac, and Barnard was allowed a longer road because of the wetland crossing. He feels the planning Board has been cooperative by providing legal documents for Compass Pointe at the Town’s expense. He is comfortable with the Board’s actions and is open to learning what other Towns do.

Elaine Jones, Sewall Street, stated regulations have to be enforced, but they don’t always suit the builders. Maybe changes to the subdivision rules should be considered to provide them more flexibility.

Mr. May stated no action was required regarding the meeting Monday. It will just be a discussion on the process of the Town's being developer friendly, something the Board of Selectmen approved several years ago. Other boards, including Assessors, Conservation, and Finance Committee are invited to the working session. It is not meant to point out failure, just discuss ways to adjust the rules and improve the process and to be certain the rules are clear. Mr. May talked about the work that needs to be done by the assessors when lot lines are changed, suggesting an additional fee should be assessed. Ms. Levy suggested speaking with Mr. Branca, owner of Worcester Donuts to obtain his perspective on the permitting process he recently completed. Ms. Levy will attend the meeting on Monday. Mr. Baker will be out of Town. Mr. Baker reminded the audience and the Board that both Barnard Hill and Compass Pointe subdivisions were approved prior to adoption of the current Subdivision Rules. Also, inclusionary zoning needs to be considered for future large subdivisions.

Mr. Baker informed the Board of the proposal from Jennifer Conley stating she would accept the offer to provide peer review for the Scannell Properties traffic engineering study. The Board agreed to accept her proposal.

Mr. Manter motioned to adjourn at 8:25 p.m. Ms. Levy seconded; all voted in favor.

**Meeting Materials**

Letter from Jennifer Conley (on file in PB office)