



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 Monday, January 8, 2018

CHAIRMAN: Richard Baker
MEMBERS PRESENT: William Manter, Homaira Naseem, Judith White
Kim Ames-7:10 arrival
MEMBERS ABSENT: None
ASSOCIATE MEMBER: Peter Caruso
RECORDER: Richard Baker

Mr. Baker called the meeting to order at 7:00 p.m. Mr. Baker stated he was willing to act as recorder in Ms. Gardner's absence. Ms. White motioned to have Mr. Manter chair the meeting in place of Mr. Baker who will act as Recorder. Ms. Naseem seconded; all voted in favor. Mr. Manter abstained. Mr. Manter assumed the Chair.

The Board reviewed the meeting minutes of December 4, 2018. Mr. Baker motioned to approve the minutes and Ms. White seconded; all voted in favor.

ANR-Elmwood Place-Andrew Liston was present on behalf of applicant, Bradshaw Truck Service. Mr. Brigham has an agreement with the Town to purchase the land. Elmwood Place is a street in existence since 1927. The property is located in the Industrial Park Zone. Mr. Baker motioned that the Board find the subject parcel has sufficient area and frontage on Elmwood Place and provides adequate access and to approve the ANR. Ms. White seconded.

Ms. White asked if Elmwood is a public road. Mr. Liston stated it is not a private road. There was a discussion regarding sufficient frontage which is 250 feet. There was no further discussion, and the Board voted all in favor (with Mr. Manter voting Yes) to approve the ANR. Ms. Ames abstained. Mr. Baker motioned to authorize the Clerk to endorse the plans. Ms. Naseem seconded; all voted in favor.

ANR-Compass Pointe-Jim Haynes was present to correct a previous ANR plan. The existing plan incorrectly extended lot lines for Lots 45, 26, and 24 to Main Street through land which was formerly Parcel C. Parcel C is to be conveyed to the Town. There was discussing regarding the conveyance to the Town and the agreement which was reached as part of an out of court settlement of the original appeal. Mr. Baker stated there may have been some ConCom issues, but that is not a concern anymore. The Board reviewed the plan and found the lots affected have in excess of the required area and sufficient frontage on the subdivision street. Mr. Baker motioned to approve the ANR and authorize the Clerk to sign. Ms. White seconded; all voted in favor.

Medical Marijuana Discussion-The Selectmen and Town Counsel asked the Board to discuss the issues surrounding recreational use of marijuana in Boylston. Mr. Manter suggested that the Board receive guidance from Town Counsel and that members of the Planning Board attend the Selectmen's meeting on January 16th to discuss the matter. Mr. Manter asked for a consensus of the Board. Mr. Caruso provided a copy of an article from the Worcester T&G explaining what the Town of Grafton is doing regarding

recreational use of marijuana and the different options that can be addressed. Options range from banning the use altogether or to apply zoning restrictions as Grafton has appeared to have done. Mr. Manter thought that Mirick O'Connell might also represent Grafton, and it would be beneficial to work with them. Mr. Manter stated that the Selectmen would like the Planning Board to craft an article for Town Meeting to address the zoning issues. There was discussion of the various options. Mr. Baker stated that it was important to solicit broad opinion from residents.

If regulation is to be done through zoning, the Planning Board has to hold a public hearing and make a recommendation. There was a discussion regarding who would draft a bylaw or zoning amendment. Mr. Manter suggested again that members attend the Selectmen's meeting to get a consensus. The meeting is Tuesday, January 16th. Ms. White, Mr. Manter, and Mr. Caruso will attend.

280 Shrewsbury Street Public Hearing-Mr. Baker noted that the public hearing originally scheduled for last month had been postponed. He motioned that the Board appoint Mr. Caruso as an alternate member for this hearing in the event of a continuance where another member may not be able to attend. Ms. Naseem seconded; all voted in favor.

Mr. Manter opened the public hearing. James Tetreault, of Thompson-Liston, was present on behalf of Worcester Donuts Inc. and J & M Batista Family Limited Partnership, applicant owner. Tetreault stated that they received the latest review from Graves and that all outstanding issues have been satisfied. Mr. Tetreault stated that the Special Permit and Site Plan as proposed meets the requirements for the special permit. There is adequate access and provision for utilities. There are 38 parking spaces, electric service from a pole at the corner, and there is water service. An Order of Conditions has been issued from ConCom due to the buffer zone.

Mr. Manter referred to the Thompson Liston letter dated January 3rd submitted with revised plans. Mr. Tetreault stated that Mike Andrade's review dated January 5th stated comments have been addressed. Mr. Tetreault pointed out the lot location next to Dunkin Donuts. They are negotiating with a Bank to be part of the retail building, and that is the reason for the drive-thru. Mr. Caruso asked what the Board's authority was with respect to mandating building design. He found the existing design to be lacking in architectural consistency. The bank expressed interest in different design. The other side may be a fitness facility and/or personal services establishment. Mr. Caruso is concerned that one side looks contemporary and other side colonial. Mr. Doyle (representing Worcester Donuts) stated the bank tenant requires a specific design. In response to Mr. Caruso's question of design authority, Mr. Baker recited the bylaw, which only applies to buildings of 10,000 sq. ft. or more. The building proposed is 9600 sq. ft. Mr. Caruso pointed out differences between the building drawing and the footprint shown on the site plan. The facade is not flat on building drawing but seems to be on the plan. Mr. Doyle would like to move forward now with site improvement and submit final building design plans later. The retail clients are in the process of working with their architects.

Mr. Caruso would like to see the building footprint detailed on the site plan. He would like them show the canopy. There was a brief discussion regarding deliveries. The prospective tenants will not require tractor trailer deliveries.

Rob Branca of J & M Batista stated they will design to tenants' specific needs. His family lives in the area and values its good reputation as does the applicant. He would like to move forward and indicated they will probably change the roof line and keep building style consistent. Mr. Manter explained that the Board gives design latitude to the developer. Mr. Baker asked about signage. It is proposed at the north side and will adhere to the sign bylaw. There was a mention of work ongoing on the Scannell property south of their property. The only access to that property is from the FedEx street. Mr. Baker felt there

were unresolved issues regarding the building and that Board could agree on conditions and finalize its decision at the next meeting.

Mr. Branca asked if they could have the special permit approved with the condition that the building be architecturally consistent? He stressed they have a history of building in the town, live in the area, and feel they should be given the benefit of the doubt. Mr. Baker asked if they would be agreeable to the condition that architectural plans be approved by the Planning Board prior to obtaining a building permit. They are not subject to that requirement at present. There was further discussion around that issue. They require approval for special permit for site work to continue. Some members expressed concern about issuing an open-ended approval. Mr. Branca suggested the Board approve with the condition that the building is architecturally consistent in the manner of similar commercial developments in the neighborhood. The fitness center may want glass doors, but things will be complementary and have one consistent design. Mr. Baker suggested wording as wording, "the entire building should be architecturally consistent allowing for variations for tenants and be similar to other commercial shopping developments in the vicinity."

Mr. Baker reviewed the Section 11.04.06 stating the required findings for a special permit as well as the Rt. 140 design requirements. There being no further questions, Mr. Baker motioned to close the public hearing. Ms. Naseem seconded; all voted in favor.

After short deliberation, Mr. Baker motioned that the Board approve the site plan and special permit and issue a decision consistent with the preceding discussions and, specifically, the condition regarding the architectural features of the building. Ms. Naseem seconded; all voted in favor with Ms. Ames abstaining. For the record, Mr. Caruso indicated he would vote Yes.

85 Sewall Street, LLC Site Plan/Informational-Scott Goddard was present with James Tetreault of Thompson-Liston. The proposed development has frontage on Shrewsbury Street next to Fountain Services, Inc. There is also access from Sewall Street. The property is just over 11 acres. Mr. Baker confirmed with the applicant that this is a preliminary meeting and ultimately a public hearing will be required. Due to a recent zoning change allowing the property to be placed in the MUI District, the applicant is proposing two apartment buildings, 30 units each. There will be 108 parking spaces. Boylston bylaws have no specific parking requirement for apartments, so they used Shrewsbury as a model. The septic system proposed meets State and Town requirements. A traffic study is being prepared. There will be a one-way entrance into the property from Rt. 140. Mr. Baker stated the major issue is going to be the traffic. The Town has done many studies, and they are available for review if the applicant wishes. They are working within the 100-foot buffer zone. They are scheduled to meet with Board of Health.

Ms. White asked if Bethlehem Bible Church, the owner of the property as a non-profit, can also be the developer. Scott Goddard explained that they are moving the permitting forward in preparation for selling the property. 85 Sewall Street, LLC is purchasing the property. Mr. Tetreault pointed out the building is almost 500 feet from the road behind Fountain Services. The second building is 800 feet and some distance from the abutters. The nearest building to abutters is approximately 500 feet. There will be no conflict with Mary Ann Drive or Sewall Street. Mr. Baker asked about two properties at entrances. The applicant would be willing to do fencing or shielding with planting for them.

Mr. Manter asked to review the difference in the concept plan that was presented at Town Meeting and this one. They originally proposed five 12-unit buildings, and now two 30-unit buildings are proposed. The plan has the same number of units and bedrooms. Mr. Tetreault stated that Mr. Goddard had conversations with developers who felt it was much more efficient to do only two buildings. This plan is

more cost effective and easier to maintain. The overall appearance versus the original design was discussed. The preliminary landscaping plan was discussed.

Mr. Baker referred up the plan presented for the 40B project on the property. He feels the apartments are a better alternative than the original 40b proposal, but is concerned that the public will view it negatively as a massive project creating traffic problems. He hopes that the applicant will be well prepared to address traffic at the public hearing. Ms. Naseem asked about impact to the schools. The expected number of children would depend on the size of the apartments. Each building will have 15 1-bedroom apartments and 15 2-bedroom apartments. The 1-bedroom apartments would most likely not have children. The land beside the apartments is meadow. The septic system will be in that area. The maximum number of bedrooms allowed for that septic design is 90 bedrooms. There was brief discussion regarding the septic and if it is in Zone 2. Some clarification and confirmation is required, and a special permit for Wellhead Protection may be required. The septic plan as designed and located meets the requirements for a system that does not exceed 10,000 gallons. This new plan meets all the zoning and setback requirements in the MUI Zoning District. The original plan would have required a variance.

Mr. Manter pointed out that much of the traffic will impact Sewall Street. He would like the traffic study to determine what the Town owns at the intersection of Sewall and East Temple in regards to potential traffic improvements in that area. Mr. Manter is concerned that cars will be backed up as they do at the School Street H intersection. Also, the study should consider southbound Rt. 140 traffic entering the apartment complex and whether left turns should be prohibited between 4-6 p.m. Mr. Tetreault stated they intentionally increased the width of the intersection so turning would be easier. Mr. Baker stated the Board would probably use same traffic consultant for peer review as that used for the Fed Ex project. He advised the applicant to have his traffic engineer communicate directly with the Town's reviewer.

Mr. Baker referred to Zoning By-Laws regarding Wellhead Protection, specifically septic prohibited uses in Section 7.06. It was agreed that none of the prohibited uses apply, but the Building inspector should confirm. The Water District's consultant raised the issue that this project is located in a Zone 2 recharge area.

Mr. Baker discussed Inclusionary Zoning and affordable units. He did some preliminary review of affordable rents, and his impression is the project is beneficial to the Town from the affordable housing standpoint. It looks like the applicant can reasonably comply with inclusionary zoning. If the Town shows they are making some progress in increasing affordable housing inventory, it inoculates them from future 40B projects to some degree. Ten percent of the units or 6 in this project need to be affordable.

Mr. Manter pointed out there are many acres of land remaining, and there will be a new roadway to Sewall Street North, not the old driveway that exists now at the existing home. Ms. Ames asked about the remainder of the land. Mr. Tetreault stated they have completed some soil testing looking to develop lots accessed from School Street with possible duplexes. They would not be proposing anything out of character, such as commercial, but they may seek variances for lot sizes.

The application has been received, and the Board discussed a public hearing date. The applicant requested February 5th, and the Board agreed. Extra hearing dates may be needed. The traffic study is close to being completed. Mr. Baker stated a project of this magnitude will bring a lot of interested people to the hearing, and the Board would like to have answers for them. The Board will notify Jennifer Conley from WSP for peer review of the traffic study. Abutter notification was discussed. Thompson-Liston will do that, and Ms. Gardner will mail the notices.

Mr. Baker motioned to adjourn at 9:20 p.m. and Ms. Ames seconded; all voted in favor.

Meeting Materials:

ANR Elmwood Place – (on file in PB Office)

ANR Compass Pointe- (on file in PB Office)

Telegram & Gazette Article Medical Marijuana (on file in PB Office)

280 Shrewsbury Street Special Permit/Site Plan (on file in PB Office)

Graves Engineering 280 Shrewsbury dated 1/5/18 (on file in PB Office)

85 Sewall Street Site Plan (on file in PB Office)