



**Town of Boylston** Planning Board [planning@boylston-ma.gov](mailto:planning@boylston-ma.gov)  
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**MEETING MINUTES**  
**Monday, March 5, 2018**

**CHAIRMAN:** Richard Baker  
**MEMBERS PRESENT:** Kim Ames, William Manter, Judith White, Homaira Naseem  
**MEMBERS ABSENT:** None  
**ASSOCIATE MEMBER:** Peter Caruso  
**RECORDER:** Nina Gardner

Mr. Baker called the meeting to order at 7:01 p.m.

Mr. Baker informed the audience that the Public Hearing for 85 Sewall Street, LLC is continued until April 2, 2018.

The Board reviewed the meeting minutes of February 5, 2018 and Mr. Manter motioned to approve them as amended. Ms. White seconded; all voted in favor. Ms. Naseem abstained.

**ANR Rand Whitney**-Brittany Gesner of VHB was present on behalf of the applicant. Ms. Gesner explained that the applicant was swapping land with Verizon. They have sufficient frontage and lot area. Mr. Manter motioned to approve the ANR plan as there is no change in frontage and lot area is negligibly affected and to authorize the Clerk to sign. Ms. White seconded; all voted in favor.

**Zoning Articles**-Mr. Baker stated that he is unaware of any change in strategy for the recreational marijuana law. Once the language is finalized next week by Town Counsel, Ms. Gardner will confirm submission deadlines. Mr. Baker will contact Selectmen for assurance they will co-sponsor and support the article. The Town has available two mechanisms to prohibit recreational use of marijuana. At the Special town meeting in October, the Town voted NO to permit recreational marijuana use. The prohibition can be either a Zoning Bylaw or a Town Bylaw. The Selectmen indicated they want it to be a Zoning Bylaw. A public hearing will be held and comments received. The Board does not have to recommend the change. They could recommend to pass over, but they should try to abide by the wishes of the residents. The options are to ban all recreational uses in all zones or to enact a moratorium on allowed uses to allow changes to the zoning bylaw consistent with those uses. A two-thirds majority at Town Meeting is required for any change to zoning. If the prohibition passes, the second article would be passed over.

Mr. Baker gave an overview of the warrant article proposing definitions for two-family dwellings. It would be the same as the article passed over at the Fall Special Town Meeting. There was brief mention that these new definitions should not hinder completion of the Compass Pointe project. If approved, the change would take effect on the date of the Public Hearing. All the building permit applications appear to have been submitted for Compass Pointe. Mr. Manter motioned to sponsor the warrant article to more specifically define two-family dwellings. Ms. Ames seconded; all voted in favor.

**85 Sewall Street, LLC**- At 7:26, Mr. Baker opened the continued public hearing for a special permit to construct apartment buildings at 85 Sewall Street. At this time, the Board has received no updated plan in response to Graves Engineering review nor a traffic report. Mr. Baker opened the floor for questions. Kevin Pendergrast, 59 Sewall Street, asked about the septic plan. He was advised to take his concerns to the Board of Health which has responsibility for approving the septic system. In considering the site plan, the Planning Board considers among other things the building, parking, traffic impacts, and parking layout. The traffic study will be reviewed by our traffic engineer.

Mr. Baker explained that the town was facing a much larger 40B project, and the applicant is proposing this project instead. They can withdraw at any time and pursue the 40B project with no oversight by the Planning Board. It would be a Comprehensive Permit submitted to the Zoning Board of Appeals. The present application allows them to develop the multifamily use, but under the town's zoning bylaw. A comprehensive permit under 40B would bypass all zoning requirements except wetlands and Title V.

Deb Towle, 3 Maryanne Drive, asked how many units would be affordable. It would be 10%. There was discussion regarding the stream that runs through the property being too close to wetlands. The residents were advised to take their concerns to the Conservation Commission. Bill Towle, 3 Maryanne Drive, asked about the septic system encroaching the 100-foot buffer and how that applies to 40B. The Conservation Committee would know better what the regulations are, but the design would have to satisfy Title V. John Grenier, who was present in the audience, stated the buffer is 100 feet for the town and 15 feet for the State. Scott Goddard of Bethlehem Bible, the applicant, is a wetlands scientist, so he is aware of the regulation.

Mr. Manter informed the audience that the Town owns property at the Temple St./Sewall St./Rt. 140 intersection, so there is a possibility to reconfigure the intersection. There was further discussion regarding drainage and underground pipes.

Mr. Baker adjourned the hearing and announced it will continue on April 2, 2018, at 7:30.

**299 Sewall Street**-Jim Haynes was present with John Grenier with a preliminary site plan for a Senior Residential Development to be developed on the so-called gravel pit property which Mr. Haynes is purchasing. The parcel exceeds the 10-acre requirement by incorporating an adjacent property which will also be acquired by the applicant. There will be 30 units, 26 in the main portion of the land and 4 in the north area on the other side of the stream. There will be a loop road with no sidewalk, but there will be a walkway from Sewall Street. The entrance road will be across from Abby Road. The septic system will be on the westerly side of the property. Each unit will be a 2-bedroom single-family dwelling, with the exception of two duplexes on the north side. The septic can treat up to 10,000 gallons a day. All units are outside the 100-foot buffer zone. John Grenier will contact Mike Andrade this week to review the site plan. The units are being sold as condos and there will be a condo association.

The Board discussed a walking path around the entire perimeter and the possibility of picnic tables and gazebo. Gerry Quam, 3 Smallwood Circle expressed concern for the proximity to his property line. It is not the developer's intent to clear everything to the line. There was discussion regarding the 75-foot setback requirement. Kevin Pendergrast asked about the walkway and if it would be ADA compliant. It will be 4 feet wide, probably stone dust.

The Board discussed scheduling the public hearing for the required special permit and explained that there will be a new member after the May election. If the public hearing is opened before that, it will be a different board and the new member would be unable to vote. The applicant will consider his options and come back in April. Mr. Baker suggested he submit his application next month so the Board could move

forward with a review by Graves in advance of a public hearing in June after the new member is elected and seated.

Mr. Manter motioned to adjourn at 8:20 p.m. Ms. Naseem seconded; all voted in favor.

**Meeting Materials:**

ANR Rand Whitney (on file in PB Office)

Zoning Articles (on file in PB Office)

Plan of 299 Sewall Street (on file in PB Office)