



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

221 Main Street, Boylston MA 01505 ** Telephone (508) 869-6019 ** Fax (508) 869-

MEETING MINUTES Monday, November 15, 2021

CHAIRWOMAN: Kim Ames
MEMBERS PRESENT: Richard Baker, Corinna Javier, Mark Johnson
OTHER ATTENDEES: Paul Dell'Aquila, Town Planner
MEMBERS ABSENT: Peter Caruso, Homaira Naseem
RECORDER: WBAC & recorder machine

Ms. Ames called the meeting to order 6:30 p.m. Ms. Ames appointed Mr. Baker a voting member due to Ms. Naseem's absence from the next few meetings.

Barnard Hill-Richard Chehade was present with Chuck Scott, Mass Land Development, to give an update on the project. Mr. Chehade stated the only thing left on the punch list is the culvert walls. Mr. Scott is the Project Coordinator and is responsible for all construction supplies for the project. Mr. Scott explained to the Board that the original plan was to repair the wall, but due to lack of supplies, they find they need to replace the cap. They have ordered the new one, but do not know when it will be delivered. Mike Andrade, Graves Engineering, has reviewed the new cap and approved. They will come to the next meeting with an update.

Rachel Road-Joe McGrath and Ron Aspero of Shrewsbury Homes were present. Mr. Aspero explained to the Board that at the time the Homeowner's Association for Rachel Road was approved and signed by the Planning Board, it was not recorded at the Registry of Deeds. Mr. McGrath is requesting the Board sign the Homeowner's Agreement and date today so that they can record at the Registry of Deeds, or dispose of, as they are in the process of selling the home. A new document has been sent by Mr. McGrath's Attorney, Rod St. Pierre to endorse and Mr. Dell'Aquila has reached out to Town Counsel as to how to proceed. Steve Mero, Highway Department has no issues with the road. After discussing who should sign the new document, the Board agreed that the current Board should sign the new document. Attorney Paul Lazour was present and familiar with the original document and stated they could keep the original 2006 date and sign with today's date. The Board agreed to sign the document at this meeting pending Town Counsel's approval.

Madera Court – Stephen Penny, owner, was present seeking lot release of Covenant that was prepared in 2006 was never released. Town Counsel has advised that since the road was accepted, the Board could release all the lots for the purpose of the Covenant. Ms. Javier motioned to approve the lot release for Madera Court subdivision. Mr. Johnson seconded; All voted in favor by roll call vote:

Ms. Javier-yes
Mr. Johnson-yes
Ms. Ames-yes

Compass Pointe-Attorney Matthew Watsky and John Grenier, JM Grenier Engineering, were present on behalf of Jim Haynes of Boylston CP, LLC to give an update on outstanding issues with this project. Mr. Dell'Aquila informed the Board that he had sent a letter to the Developer on May 26, 2021 outlining outstanding issues based on the conditions of the Decision.

Attorney Watsky addressed items in the letter to Mr. Haynes and responded to each item. He addressed the parcel "J" which surrounds the Water area. That parcel has been conveyed to the Water Department. He addressed the Bond amount and stated it was 151,000. The Town has on record that it is 107,000. Attorney Watsky addressed water issues. Testing was done for suspected leaks in the system. The matter is closed. John Grenier is working with Graves on the slopes and stabilization. Board of Health issues have been addressed. There was discussion regarding timeline for applying for acceptance of the road in the Spring.

The Town Planner questioned a timeline for items being completed and the "as built" being completed. Attorney Watsky stated that Mr. Haynes anticipates the "As Built" to be completed by January. The plan is to target the Spring Town Meeting for acceptance. Mark Antilla, 46B Compass, stated there is no HOA as Attorney Watsky stated there was. Attorney Watsky will send a copy of the recorded HOA to Mr. Antilla.

8 Gulf Street/Public Hearing Continued-Attorney Watsky, John Grenier and Corinne Tobias, Traffic Engineer for the project were present on behalf of the applicant. John Grenier presented a plan showing drainage and stormwater. ConCom has approved the project. Graves engineer has reviewed and approved plans so far. The Fire Chief has reviewed and has no issues. Minor questions from WSP regarding traffic study. Mr. Grenier discussed improvements to be made that were of concern to the traffic engineer. He pointed out the entrance/exit will have cobblestone. Mr. Johnson asked about the emergency vehicles and how they would navigate the street. Mr. Dell'Aquila stated that all of Graves Engineering comments have been addressed as noted in the November 15, 2021 report. The WSP report was just received and not reviewed before the meeting. There were some concerns expressed regarding turn around for Fire Truck. Ms. Tobias addressed maintenance. There was a discussion regarding what options could be taken. Mr. Grenier discussed the HOA maintaining lawn and keeping the entrance way clean. There was a discussion regarding common land and a plan for that. Attorney Watsky stated the HOA will determine how it will be used as common land. Mr. Grenier stated there is more than adequate land that can be used for common land and access to it. Mr. Dell'Aquila requested a possible updated plan showing where common land could be located to give a better understanding of where open space is. Affordable housing was mentioned. The location has not been designated yet for the two units required. Paul Dexter, Foxtail Lane, submitted a list of signatures for the letter sent to the Planning Board from residents. He expressed concerns regarding the project which included traffic and sidewalk issues. He stated other projects, not built yet, have to be taken into consideration.

Mr. Dexter stated the residents would like the Board to take issues into consideration when voting on this development. They would like the Developer to be held accountable. They hope the Board will address technical issues that apply and procedures. He mentioned the water quality and the residents would like that to be taken into consideration. He urged the members to drive down Sewall Street to see the location and how busy it is. The Parcel of land is 63,242 square feet (11.34

acres). This project requires 10 plus acres. A resident asked if the project satisfies the requirements of the SRD Bylaw. Stormwater and Conditions have been issued.

Diana Whitehead, 25 Knob Cone Drive, questioned advertising regarding Compass and how is that allowed if it isn't completed. Attorney Watsky stated that Boylston CP, LLC officers are Michael Kent, Jim Haynes. Gerry Quam discussed SRD and common land and setbacks. Attorney Watsky addressed his question and stated setbacks are not involved in the designation of common land. Thirty percent of the site has been designated for common land which includes the wetland. Traffic study was mentioned by audience member and Attorney Watsky explained that traffic studies are dealt with data and standards that apply. Ms. Tobias stated that they look at historical data in the area.

Deb Frank, 45A Compass Circle, spoke regarding her opinion of the Developer and stated she has been very happy in her home and he has addressed issues that have arisen. She stated it is egregious that people are criticizing when they have no proof and her neighbors are happy there.

Patrick Healy, Thompson Liston spoke on behalf of his clients, the DeCastros. He sent a letter to the Board on September 20, 2021 with questions and comments regarding this development. A few items Fire Chief is happy with turn-around – questioning that if 20-feet is wide enough and Question on stormwater and detention basins. How are they going to address Stormwater and Septic. Open space whether the board believes it complies with the SRD bylaw. How is open space being characterized? Traffic study questioned again by audience member and parking spaces with units going in. Inaudible? Ms. Tobias addressed what facts and percents they used to do the study. Further discussions regarding issues with this project and questions from residents. Attorney Watsky spoke and addressed the Board regarding that peer reviews and questions have been addressed. He asked the Board to close the hearing. Ms. Javier stated she would like to see common land on the plans. Steve Mero, Highway Superintendent stated the intersection issue was addressed and improvements were discussed regarding the Gulf/Sewall Intersection. Speed limit has been reduced on Sewall and only a total of 4 accidents have happened at that intersection.

Mr. Dell'Aquila stated three concerns to be addressed: Formal response of acceptance especially with Fire Truck turning with Fire Chief no issue and comments from today's meeting. Delineation and types of open space and WSP was aware of other projects happening in the area whether or not regional 40B was accounted for in the traffic study. Attorney Watsky noted the Email dated from Fire Chief to the Town Planner stating review of the project and his approval. He states he has no concern with project. Secondly, Open space is noted on the plan is double footage than required.

Ms. Ames asked about sidewalks and it is proposed for the development. A sidewalk and bus stop were discussed at the corner of Gulf and Sewall. Attorney Watsky stated that could be done. That should be part of the conditions. The Developer stated to the Highway superintendent he would be happy to put a sidewalk from the development to Sewall and any improvements to Sewall/Mill intersection. Possibly tree removal on the Burkhardt land along stone wall. Ms. Ames would like street improvements in the area, perhaps widening. Brief mention about writing conditions that may apply and keep hearing open. Or, close hearing and deliberate next month.

Mr. Healy asked about fourth member voting and he was informed that Mr. Baker was appointed a voting member and Mr. Caruso, who was absent, can vote if he watches the video and signs the

affidavit of the Mullin Rule. There are no pending reports or any other additional information other than pending clarification of the previously discussed issues. Mr. Watsky agreed with Mr. Dell'Aquila's opinion of the procedural issues to close the hearing.

Mr. Johnson motioned to close the public hearing and Mr. Baker seconded; all voted in favor.

500 Main Street/Public Hearing Continued-Patrick Healy and Patrick Erickson of Thompson-Liston were present on behalf of the applicants for a two-lot subdivision. Since the last meeting, they have received comments from Graves Engineering regarding the revised plan. Provided a road profile and modified stormwater system and infiltration system. Showing monuments and setbacks and other items. Letter dated December 12th from Graves, asking for additional monument. Mr. Healy feels it would be repetitive to add another monument, but will if the Board wishes. Mr. Andrade mentioned the calculation of zoning dimension requirements. Mr. Healy pointed out the lot is split between Commercial and rural residential zoning. He justified the position of the house with the zoning compliance per the bylaw of the less restrictive lot. He addressed the lot depth measuring from the street. Mr. Baker asked for clarification of Mr. Andrade's question was regarding lot depth was calculated and whether it complies because it is a split lot it is up to determination. Mr. Healy stated if house was placed in rural residential and not commercial, it would meet the requirements. Mr. Dell'Aquila spoke with the Building Inspector regarding this issue. Graves has asked that soil testing be done prior to approval #17-soil test has been responded to. When the soil testing is done for the Board of Health, Thompson Liston would like to provided results to Planning Board. Town water is available, but a permit would be required from the state at great cost, but they are proposing a well instead. A waiver was requested for providing for fire protection services from the water main. Number 21 of Graves review was discussed and Mr. Healy would agree to extend erosion sediment control. A letter was submitted by a neighbor stating that he wants it to remain a single-family home and not become a two family in the future. That can be in the decision. Mr. Johnson motioned to close the public hearing and Ms. Javier seconded; all voted in favor by roll call vote:

Ms. Javier-yes
Mr. Johnson-yes
Ms. Ames-yes
Mr. Baker-yes

Mr. Dell'Aquila will craft a Decision for the next meeting.

160 Shrewsbury Street Public Hearing-Amendment Site Plan Approval-Annie Gorham of VHB and Kyle Merkosky of Kraft Group were present on behalf of the applicant, Route 140 LLC. Justin Dufresne of VHB and Ted Fire, Kraft Group were also present. Ms. Gorham presented an amended plan on Building 2. They have received approval from ConCom and Graves has reviewed and all issues have been addressed and complied. Only the Site Plan is being revised. The initial Special Permit I not changing, only the Site Plan. If approval is granted, this amendment would be added to the Special Permit and all initial approvals would still apply to the Special Permit. Seth Ridinger asked for clarification on the parking being changed. He also asked about the sound wall and its location. There will be a 6-foot stockade and then a sound wall.

The applicant had agreed earlier to change the location of the sound wall. Ms. Javier motioned to close the public hearing for the Site Plan Amendment. Mr. Johnson seconded; all voted in favor by roll call vote:

Ms. Javier-yes
Mr. Johnson-yes
Ms. Ames-yes
Mr. Baker-yes

Mr. Baker motioned to approve the amendment to the Site Plan and the Special Permit all previous conditions remain intact. Mr. Johnson seconded; all voted in favor by roll call vote:

Ms. Javier-yes
Mr. Johnson-yes
Ms. Ames-yes
Mr. Baker-yes

750 Main Street-Keith's Music-Site Plan Approval-Keith Lewis was present with his engineer, Robert Duff, to discuss Site Plan approval for Keith's Music. They are dealing with ConCom and they have recommended Graves do stormwater calculations. The applicant is proposing to demo the existing building and rebuild a larger building. The location is at intersection of Main and French Drive and add additional parking will be added to the rear of the building. They would have a driveway come from French Drive and no longer have access from existing drive at the intersection Current building is in disrepair due to large pine falling through roof and there is not enough parking for the facility. The site involves a substantial amount of drainage to be installed. He discussed drainage system with the board and catch basins. The use of the building is educational for music. He does not want to change the use of the building. He needs more room as the business is growing. There will be a new septic system installed for the larger facility. The building will look like the existing building, just bigger. The board discussed the plan with the applicant and setback of the new building. The board does not have an issue and once the engineering and stormwater issues are resolved the planning board could move forward. Mr. Dell'Aquila advised the applicant that once he submitted the peer review fee of \$2300.00, Graves could begin the process of reviewing the project for the Planning Board before the next meeting. Mr. Johnson motioned to reduce the peer review fee from \$4500 to \$2300.00. Mr. Baker seconded; all voted in favor. They will attend the next meeting in December and if they are not ready, then January.

Town Planner Report-The ZBA Chair has asked if ZBA can attend CPTC training and use Planning Board funds as they do not have their own funds. If allowed to do so, they will share any information they receive.

Mr. Baker motioned to allow ZBA to access Planning Board funds for CPTC training and they will share information with the Planning Board. Ms. Javier seconded; all voted in favor by roll call vote:

Ms. Javier-yes
Mr. Johnson-yes
Ms. Ames-yes
Mr. Baker-yes

Pre construction meeting with 160 Shrewsbury Street and Pine Hill Drive was held. They are doing site work at those locations.

Pine Street Extension looking to get approval in the Spring. Mr. Ricciardi sent an email regarding bounds on November 8th. Graves should review this issue.

Mr. Johnson motioned to adjourn 10:24 p.m. Ms. Javier seconded; all voted in favor.

Meeting Materials:

Rachel Road Covenant (on file in PB Office)
Madera Court Covenant (on file in PB Office)
Compass Pointe letter dated 5/26/21 (on file in PB Office)
Gulf Street Plans (on file in PB Office)
Resident Letter and signatures for 8 Gulf Street (on file in PB Office)
500 Main Street (on file in PB Office)
160 Shrewsbury Street Amended Plan (on file in PB Office)
750 Main Street (on file in PB Office)