



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

### **Monday, November 7, 2022**

**CHAIR:** Kim Ames  
**MEMBERS PRESENT:** Corinna Javier, Mark Johnson, Homaira Naseem  
via Zoom, Richard Baker, Assoc Member  
**OTHER ATTENDEES:** Stephen Madaus, Town Counsel  
**MEMBERS ABSENT:** Peter Caruso  
**RECORDER:** Nina Gardner

Ms. Ames called the meeting to order 6:30 p.m.

**313 Main Street** – Mike May was present to discuss the revised plan of a new building which he previously has approval for. He made minor changes, increasing the size of the building. The Board did not receive Graves review in time for this meeting. Mr. May has requested the Board accept the changes upon the condition of receipt of Mike Andrade's review of the new plan. He would like approval as is so that he can start site work, subject to satisfactory report from Graves. His Engineer, John Grenier, will respond to Graves review when it is received. The Board briefly discussed parking and clearing of trees. Mr. Johnson motioned to accept the increase in size and square footage of the building conditionally based on Graves review and all concerns and receipt of response by Mr. May's Engineer. Ms. Javier seconded; all voted in favor. Ms. Naseem abstains as she was not present at this time.

**Barnard Hill** – Rich Chehade was present to give an update to the Board. He stated they are finishing up the sidewalks on the left side of Perry Road. He stated he would have asphalt in place by Thursday. The road condition was discussed and several residents and a contractor who is building in the development were in attendance. Mr. Chehade stated he will repair the asphalt on Perry before the winter. He will clean out the culverts with a vacuum truck and put in new silt sacks.

Ms. Naseem joined the meeting via zoom at 7:50 p.m. and she was announced to the Board and everyone in attendance. Mr. Chehade discussed trees with the Board and he will order the trees for Spring planting. Mr. Chehade stated that cable will be laid out on November 14<sup>th</sup> and then the cable company will come out. He will clean up the site and add another mailbox. Mr. Chehade will contact the Conservation Commission regarding erosion control.

The Board reviewed the Bonds on the property. There are four bonds based on Graves Engineering estimates. They total over two million. Fire hydrants were discussed and the Fire Chief stated in an email that the water needed to be turned on. Mr. Chehade mentioned that vehicles are speeding on Perry Road and he has contacted the police regarding this issue.

Stephen Madaus, Town Counsel, explained to residents present how a Subdivision approval is granted. Barnard Hill was approved in 2014 and Bonds were provided for the work. Attorney Madaus explained that there is a Covenant on the lots and no lot can be built upon or sold unless the Covenant is released by the Planning Board. Attorney Madaus further explained the procedure for the Developer obtaining bonds for the project. Graves Engineering determines the amount that the Bond should be based on the project and scope of work. A Subdivision Performance Agreement has been approved and issued for this project with a finish date of December 31, 2023. The Developer has until that time to complete the project.

Attorney Madaus informed Mr. Chehade he should respond in writing to Attorney Novak's letter dated October 24, 2022.

One of the issues raised in the letter is there is no HOA. Mr. Chehade stated once the road is approved and accepted, he will be responsible for maintaining the detention ponds. He will have his attorney draft a document stating he will be responsible for this since there is no HOA.

James Brown, National Homes was present and voiced his concerns as represented in the letter from his attorney, Mr. Novak. He reiterated his concerns regarding the roads, etc. He feels the Bonds are not adequate to cover issues if the Developer abandoned the project. Attorney Madaus requested Mr. Chehade give the Board a timetable of completion dates of various items.

Transformer placement was discussed and Mr. Chehade stated the Light Department makes the decision as to location. Silt bags were discussed and they need to be replaced due to lack of filtration. Mr. Chehade stated he would take care of that. Several residents were present and addressed topics such as number of trees that are planted on their property and street trees and lack of an HOA, sidewalks, trenches, road condition, hydrants and the need for more lighting in the Development. The residents would like all the issues addressed.

Jim Brown of National Home Executives spoke to the condition of the development. He read a several items of concern to the Board. They were a reiteration of his Attorney's letter to the Board regarding the Development. A base coat can be put down on the road with a winter mix. Mr. Chehade will look into that.

**Longley Hill ANR** – The Board reviewed the ANR presented by Mr. Ansari. He needs land from Lot 10 because of the septic placement. After review, all requirements were met. Ms. Naseem motioned to approve the ANR for Lot 11 and authorize the Clerk to sign. Mr. Johnson seconded; all voted in favor. Mr. Ansari requested the Board contact Graves Engineering for a Bond reduction for the Longley Hill project.

**220 East Temple Street Public Hearing** – Ms. Ames read the public hearing notice for this Special Permit. Patrick Healy was present on behalf of the applicant, Keith Lewis, who was also present. He is asking to renovate the property which is in the residential office overlay zone. He would like to move his business, Keith's Music, to this location. The Board reviewed the plans with Mr. Healy. They would make it wheelchair accessible and add parking to the back of the building. Access to the property will come from Shrewsbury Street. Mr. Healy stated they would be seeking some waivers on the Site Plan. There was mention of a possible future coffee shop. That is not being applied for at this time. If it does happen in the future, the coffee shop would be mainly for people attending performance of the students.

Mr. & Mr. Innamorati of 225 East Temple Street were present and expressed their surprise that this is before the Board. They are very upset and have concerns regarding traffic. The classes are all after 2:30 and no weekends. There are 5 or 6 teachers. Mr. Healy explained there are certain uses that the applicant has by right. Kara Ashton, 12 Perry Road, a parent of a student at Keith's Music spoke in support of the project and Mr. Lewis. There would be no parking in front or on the side of the building. It will all be in the back. Mr. Healy will request waivers in a letter. Mr. Johnson motioned to continue the public hearing until Monday, December 5, 2022 at 6:30 p.m. Ms. Javier seconded; all voted in favor. If Mr. Lewis seeks to have a coffee shop in the future, that will be a new public hearing and special permit.

The Board reviewed the minutes of October 3, 2022. Ms. Javier motioned to approve and Mr. Johnson seconded; all voted in favor.

Mr. Johnson motioned to close the public meeting and Ms. Javier seconded; all voted in favor and Ms. Ames abstained.

**Meeting Materials:**

313 Main revised plan (on file in PB Office)

220 East Temple Street Special Permit (on file in PB Office)

ANR Longley Hill (on file in PB Office)