



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

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MEETING MINUTES

October 6, 2014

CHAIRMAN:	Ralph Viscomi
MEMBERS PRESENT:	Kim Ames – 7:11 arrival, Richard Baker, William Manter
MEMBERS ABSENT:	Laurie Levy
ASSOCIATE MEMBER:	Judith White
RECORDER:	Nina Gardner

Mr. Viscomi called the meeting to order at 7:01 p.m. The Board reviewed the meeting minutes from September 8, 2014 and Mr. Baker motioned to approve as amended. Mr. Manter seconded; all voted in favor.

Mr. Manter informed the Board that the Gough House Restoration Committee is seeking a representative from each board in town to join the committee to assist in writing a \$44,000 grant proposal. They would like input from as many viewpoints as possible to bolster the Town's qualifications for a matching grant. Mr. Baker nominated Mr. Manter to be appointed as the representative from the Planning Board to the Gough House Committee. Mr. Manter seconded; all voted in favor.

Barnard Hill – Covenant approval – Richard Chegade was present to get approval of the Covenant for Barnard Hill. Mr. Viscomi stated that after receiving endorsement from Graves Engineering and the Highway Department he approved the developer's request to use high density polyethylene (HDPE) pipe in place of reinforced concrete (RC) pipe within the Barnard Hill subdivision.

The Board discussed if the original order of conditions should be referenced on the Plan. The new conditions of approval, the Covenant and the Plans should all be recorded at the Registry of Deeds. The applicant was informed that they should meet with Mike Andrade of Graves Engineering before road construction begins. Mr. Baker will send an email to Mr. Andrade requesting that the Planning Board receive all reports regarding road inspections and other matters during construction that apply to the Planning Board.

Mr. Baker motioned that the Board endorse the newly formatted Covenant as presented by Mr. Chegade and was approved by Town Counsel. Mr. Manter seconded and all voted in favor.

Compass Pointe – Steven Kressler, Esq. was present on behalf of Mike and Jim Venincasa and Signature Home/Monogram Builders. A certified letter was sent to Mike Venincasa regarding the concerns of the Board which were to be addressed as agreed upon at the July meeting. The base coat of the road was paved and extended past 2 Compass on October 3rd or 4th. Mr. Manter expressed the board's continued concerns about lack of resolution to the lot line encroachment issue due to the placement of the second driveway at 2 Compass Circle

(the Esposito's property). Resolution of this issue may result in lot lines being redrawn, causing a ripple effect on other lots planned for Phase 2.

Mr. Kressler stated there may be a question as to who is responsible for the issue caused by location of the second driveway. This prompted a heated conversation between the homeowner and Mr. Kressler. The Board informed them that the responsibility of the issue not a matter which falls under the Planning Board's purview, only that it must be resolved. However, the developer has not made any attempt to resolve the issue within the 90 day extension period as promised by Mr. Venincasa at the July Planning Board meeting. Mr. Manter stated he is only in favor of extending the performance agreement for 30 days but he reiterated that it is not an indication that the Board is in anyway satisfied with the progress to date. Attorney Kressler is aware of the problems but feels that if the Performance Agreement extension is not approved, the project will not get completed. However, he conceded that the developer needs some motivation. Mr. Viscomi reiterated that contrary to the agreed to conditions, communication by the developer to the Planning Board is still non-existent.

Mr. Alexandrias, 4 Compass Circle, stated that 5 Compass Circle closed last weekend and the new owners had moved in. There was a brief discussion regarding the likelihood that occurred given the current status of the home's completion.

Mr. Manter motioned to extend the Performance Agreement until the November 3, 2014 meeting. Ms. Ames seconded; all voted in favor. Mr. Baker reiterated the developer needs to get the message the Board is unsatisfied and Mr. Kressler agreed he will inform them they must take action to perform work and address the outstanding concerns in a timely fashion. Mr. Viscomi then informed Mr. Kressler that the Board expects the developers to appear at its' next meeting on November 3rd to communicate their status in addressing the outlined conditions or the Performance Agreement would not be extended any further. Mr. Kressler stated he would communicate that to his clients.

Mr. Alexiandrias asked if something could be done about the crumbling sidewalks as it is a safety concern. Also, it was brought to the Board's attention by residents that there may be an issue with some of the homes in Compass Pointe not having enough square footage on their property to support more than a 3 bedroom home. Some properties may require 10,000 square feet of land per bedroom, regardless of the size of the septic system, and the builder is deeding square footage from other lots. The Board was unaware of this requirement and will seek clarification from the Board of Health.

David Esposito, 2 Compass Circle, stated he hired the Venincasas to put in an extra driveway. He asked Mike and Jim Venincasa if it needed to be surveyed and was told no. They have been unsuccessfully asking the developer for a separate invoice for the amount they paid Signature Homes for the second driveway. The Board once again reminded everyone that this situation is a legal matter between the homeowner and the developer and is outside of the Board's jurisdiction.

IP Zoning Final Draft – The Final draft of the updated IP Zoning chart will be presented at a Public Hearing before the Special Town Meeting which is going to be held. This may not occur until December or January. Mr. Manter will confirm with Mr. McNamara.

Solar Panel Bylaw – Mr. Manter presented the modified draft of the Small Scale Solar Panel bylaw. He simplified it as much as possible to enable the Building Inspector to issue permits without needing clarification by the Board. Discussion ensued about the maximum 1,000 square foot size limit on a small scale installation and its' applicability in all zoning districts as well as the gap between it and large scale systems.

Mark Barakian of the Light Department explained to the board how power is purchased and how fluctuations in usage affects the amount purchased. There are approximately six homes within Town that currently use solar power. The Board discussed flat roof solar panels and commercial buildings. Mr. Barakian stated that any issues are resolved between the customer, Wiring Inspector and the Light Department. He then went on to use Summer

Star as an example. Mr. Baker suggested that the current draft be compared to the State model bylaw to ensure consistency and completeness.

The Board endorsed the Mylar plans for the approved Barnard Hill Subdivision.

Ms. Ames motioned to adjourn at 8:36 p.m. and Mr. Manter seconded; all voted in favor.

Meeting Materials:

Barnard Hill Covenant – (on file in PB Office)

Subdivision Plans Barnard Hill – (on file in PB Office)

IP Zoning Final Draft – (on file in PB Office)

Solar Panel Draft – (On file in PB Office)

Letter to Signature/Monogram Builders – (on file in PB Office)