



## MEETING MINUTES February 14, 2024

Members Present: Barur Rajeshkumar, Marc Frieden, Francesco Lopriore, Kevin LaClaire

Members Absent: Vincent Vignaly

Others Present: Patrick Healy (Thompson-Liston), Paul Lamoureaux, Iqbal Ali, Rob Para, Mike Williams (LPA Architects), Tim McMann (Catholic Charities)

**All documents referenced in these Minutes are stored and available for public inspection in the Planning Board Office located at 140 Worcester Street.**

The Chair opened the meeting at 7:00 p.m.

Citizens' Comments – None tonight.

### **New Business:**

ANR Plan – 165 Pierce Street (Jay and Paul Lamoureaux) – Patrick Healy and Paul Lamoureaux were present. Mr. Healy explained that there was a plan to combine two lots that was recorded at the Land Court. The deed was not recorded in the Land Court; it was recorded in the registered section. In order to rectify the title, they need to prepare a plan for the Land Court; the new deed would be rewritten based on the new plan and recorded at the Land Court. No lot division is proposed. The plan will not be recorded at the Registry of Deeds. When the board signs the plan, the Land Court takes the plan as a petitioner's plan and they draw a plan that goes on record. It does have to be endorsed by the town showing it meets the required area and frontage. Mr. Frieden made a motion to endorse the Plan to Show a Subdivision of Lot G Shown on LC Plan 2421-E and Lot G-1 Shown on LC Plan 2421-H in West Boylston MA owned by M. Shirley Lamoureaux, 165 Pierce Street, Land Court Cert 3262, Lot G. Also see a Deed to Jay E & Paul E. Lamoureaux WDRS 21-31498-383, Assessors 159-26 Land Court Lot G1; Mr. Lopriore seconded; all voted in favor; motion approved.

Westland Circle Correspondence – Mr. Ali was present. Mr. Frieden explained that we are in the process of finalizing the amendment to remove #2 and #15 from the permit (the responsibility for the sewer and the responsibility for the path). In preparing it, Mr. Frieden said there was a mismatch between the original approved plan, which was before Mr. Ali was involved, and the as-built plan; initially it was an 8-home development. At some point during the project another lot was developed so the finished as-built shows 9 lots. The board needs the as-built letter properly documenting how that happened, i.e., state that it references the ANR was added, when it happened, that it's still in compliance with plan, etc. Mr. Ali said Wayne Amico (VHB) is working on it. Mr. Rajeshkumar said the board cannot act on anything because nothing was received. It will be on the next agenda.

Mr. Ali said VHB is looking for the board's approval to proceed with the review of the road acceptance paperwork. Mr. Ali said he gave a copy to the Select Board and a copy to the Planning Board. It needs to go to Town Counsel for review. Mr. Frieden has not yet reviewed it but said we need to make sure it's a complete package and not waste VHB's time. Mr. Rajeshkumar said VHB

does not have the letter from the engineer. Once that is received, we can send the package to Town Counsel for his review.

Mr. Ali said he sent a letter asking for a bond reduction for Westland Circle which was approved by VHB for \$50K. Mr. Ali said he will need a letter from the board for the bond reduction. Mr. Frieden said the board has to vote on it and it was not for discussion tonight.

Site Plan Review Application for 216 West Boylston Street, Catholic Charities – Accept Application and Set Public Hearing Date – Patrick Healy (Thompson-Liston Associates), Rob Para and Mike Williams (LPA Architects), and Tim McMann (Catholic Charities Director). Mr. Healy asked the board to agree with their letter that the number of changes on the site doesn't warrant a full Site Plan Review. The Building Inspector advised them to apply for Site Plan Review.

Mr. Para said over a year ago he had conversations with the Building Inspector at the time (George Tignor) and was told verbally that they did not need a Site Plan Review. With the new energy codes, they wanted to review the plan again with the Building Inspector and were told they needed a SPR. The Fire Chief said they wanted to get the fire truck around if it could be accommodated; Mr. Para said they could. They filed the Zoning Request Form and refiled it to the current Building Inspector, Tony Zahariadis. It was not clear whether they were changing the use or not and suggested checking with the Planning Board. Mr. Para said the building was a Business Center under F12. Mr. Healy explained they came before the board in 2015 for SPR and a Business Center permit. Mr. Frieden asked about the current location and if there was a lab. Did he have a similar load of people at the current location to what the applicant will be putting in or was he tapering down? Mr. Healy said it's hard to tell how many employees will be in the new location. The question was about the use and whether there was adequate parking under zoning and whether there is an adequate number of accessible spaces. He said it's just being converted from one business use under zoning to another business use; it's the same ratio for parking. Mr. Frieden said if you are changing it from a warehouse that doesn't have very many people to a restaurant that does, that's when the board has to be aware of parking; it's the use. Mr. Para said it has adequate parking spaces. Mr. Frieden said the trigger is the removal of 15 spaces or changing 15 spaces. Mr. Para said without the Fire Department change, they would be altering 9 spaces. Mr. Frieden said the Planning Board is not the Building Commissioner and it's the Building Commissioner who is supposed to make the call.

Mr. Rajeshkumar didn't feel comfortable with further discussions and said we are here tonight to either accept the application (or not) and set a date for a public hearing. He said to put it on the next agenda and the applicants can speak with the current Building Inspector for his opinion. Mr. Healy then asked if the board could accept the filing as an amendment to the Site Plan under Section 3.6G Modifications to an Approved Site Plan. They have been through a Special Permit Review and SPR previously and asked if they could approach it as an amendment to the Site Plan rather than a new SPR review. Mr. Frieden thought they could because they want to maintain the Business Center status but the board would need to iron it out because there are some special permits needed for medical clinics (possible labs), religious use, other educational use; the board would have to make sure they are not those. Mr. Rajeshkumar will follow up with the Building Inspector; it's his decision. A public hearing was scheduled for March 13, 2024 at 7:05 p.m. If it's not needed, it will not move forward. Mr. Healy said if they have a full SPR they will be asking for several waivers.

Comments to ZBA Petition for Special Permit for 114 Worcester Street (due 2/15) – The draft letter was reviewed and signed and will be sent to the ZBA.

**Reports from Other Boards:** None tonight.

Invoices were approved for payment. Mr. LaClaire Kevin made a motion to approve the draft January 10, 2024 Regular Meeting Minutes; Mr. Lopriore seconded; all voted in favor; motion approved.

March 13, 2024 at 7:00 p.m. was confirmed as the next regular meeting date and time.

Mr. LaClaire made a motion to adjourn; Mr. Lopriore seconded; all voted in favor; motion approved.

The meeting was adjourned at 8:20 p.m.

Date Accepted: \_\_\_\_\_

By: \_\_\_\_\_  
Marc Frieden, Clerk

Submitted by: \_\_\_\_\_  
Melanie Rich