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TOWN OF WESTBOROUGH

Planning Board
Meeting Minutes
March 21, 2023
6:30 PM-9:13 PM
Planning Board Present: Chairman Mark Silverberg, Hazel Nourse, Peter Bouchard, John Gelcich, Jon Pezzoni
Also present: Jim Robbins-Town Planner, Kristen Belanger-Planning Dept. Administrative Assistant
Not present:
The regularly scheduled meeting of the Westborough Planning Board was held in Memorial Hall at 34 West Main St, Westborough, MA 01581 on Tuesday, March 21, 2023. Chairman Silverberg convened the meeting at 6:30 PM.

Discussion regarding 95 Turnpike Rd Limited Site Plan

Mr. Robbins introduced the project. It was previously The Chateau Italian restaurant. This project is in front of the ZBA and Planning Board will be providing comments.

In attendance were Mark Kablack Attorney for the applicant, Alvin Wong from Westboro 95 Turnpike LLC (they operate Mandarin), Engineer Jeffrey Brem.

They are proposing three changes, no change to curb cuts. Parking area will be revised, will eliminate some of the paved area. Three additions on the plan are labeled A, B, C.

In the back will be a two-story addition. First story is an expansion of the kitchen area. The Western side of the building will extend along the length of the building. Number of parking spaces are reduced but will be adequate for the proposed use. Landscaping and lighting will be added. They are hoping to complete construction by the end of the year.

Mr. Brem went over site details.

- 2.9 acres lot, side yard setback is non-conforming.
- 27% open space, they will maintain that. Requirement is 60% so they are non-conforming.
- 12,227 sq. ft. existing floor plan, 20,286 sq. ft. proposed.
    - First floor is 2960 sq. ft.
    - Second floor is 2960 sq. ft.
    - Addition B is 1550 sq. ft.
    - Retail Area is 3000 sq. ft.
    - Canopy area in front is 589 sq. ft.
- Previous owners had a capacity of 378 seats, 77 in the lounge. They plan to reduce seating to 330 seats which includes the lounge, restaurant and patio.
- Parking is currently a sea of asphalt, they will be increasing the landscaping.
- Utilities/water service is maintained the same.
- Sewer will be maintained the same.
- They are reducing the impervious area in the parking lot for drainage.
- An Architectural rendering was shared.

Member Nourse asked for clarification on how people will be entering the retail space

- Mr. Kablack replied, the main entrance to the restaurant and the retail area is the same as the current location. People will need to come into the retail area through the restaurant.

Member Nourse said that the retail area will be open slightly different hours. It would be nice as a customer not to walk through the restaurant to get there.

Parking for retail would be in front near Turnpike Rd. and the side would be the restaurant.

Member Bouchard asked about lighting in the parking lot.

- Mr. Kablack said they have a lighting plan. Will also be repaving.

Member Bouchard asked about the easement.

- Mr. Kablack responded that the access easement is a joint easement with 95 A.

Member Gelcich encourages as many trees onsite as possible, for sound proofing and screening from Rt. 9.

Chairman Silverberg asked if they will have shopping carts.

- Mr. Wong responded yes. There is no designated area on the plan for storing carts, this will need to be added.

Chairman Silverberg explained that interconnectivity between the lots is encouraged.

Chairman Silverberg asked how pedestrians will go through the parking lot. He would like to see clear markings designating these pedestrian areas.

Mr. Robbins referenced the photometric plan, NE rear section of the parking lot has less than a 1 ft. candle. We suggest at least 1 ft. to be adequate in the winter. They probably need a couple more lights along the sidewalk to the main entrance.

Member Pezzoni asked if retail will have its own separate entrance. It will need to have additional lighting.

Chairman Silverberg wants to make sure emergency vehicles can still access the neighbor thru easement.

Member Nourse asked about handicap access for drop off.

Chairman Silverberg said traffic previously traveled East to West across the front as one way traffic.

People leaving 95A taking a right to the front of the building will get in the way of one-way traffic. May make more sense for that traffic to turn left and go around the back of the building. Clockwise traffic around building.

Silver Hollow Estates Possible Lot Releases and Bond Reduction

Tabled to next meeting 4/4. Waiting for response from Town Counsel.

Public Hearing for Site Plan Review Application at 6 Bellows

Chairman Silverberg read the legal ad into the record.

Mr. Robbins introduced the project. Property was a former daycare facility, it is changing to an Islamic Worship Center. They are changing the use and increasing the parking.

Mynuddin Syed- President of the Boroughs Islamic Society, Imad Zrein- Engineer, Ifran Baig- Board Member of Boroughs Islamic Society attended.

Muslim community has no place of worship between Worcester and Framingham. They started with eight core members. They are offering five daily prayer times, Friday is congregational prayers. Their current location went up for sale and they needed to leave in a one-year timeframe. They bought the property at 6 Bellows.

Imad Zrein provided some background, the Site is 1.5 acres. The existing bldg. is 6,000 sq. ft., 27 parking spaces are in front. Neighbors on the left and right are office space.

Proposing to rearrange parking to make it more efficient. They are replacing the playground in the back with parking. They are going from 27 to 87 parking spaces and keeping curb cut intact.

The Main entrance is in front, there are two entrances in back. They will add sidewalks. The Site has existing water/sewer that will be maintained. The property will have a dedicated fire line and will have fire sprinklers.

They will be picking up runoff from the building and parking in the recharge system. Landscaping has a lot of mature trees which they will try to keep.

The Applicant received comments from the depts., they believe they can address all of them. Will need discussion with Town Engineer Lisa Allain.

The main comment from the Departments was access for additional parking. They have an agreement with the post office for overflow of 40 spots but only need to use this for 1 day for 1 hour.

Select Board asked for a walkway from the overflow parking at the post office to the site.

In order to fit the space, they split out prayer time into two groups for Friday afternoon prayers.

Driveway on the left is one way, 11' wide. They received comments from Fire and this wasn't something brought up as an issue for their access.

Member Gelcich asked if there will be a "No left turn" sign at the entrance.

- Yes, they are also adding "No Parking" signs on Bellows.

Member Gelcich asked if there will be someone directing traffic during busy times.

- They responded they would have members of congregation to do this.

Member Gelcich asked if they considered putting solar on the roof.

- They are not putting this in from the beginning but will consider for the future.

Member Gelcich asked about plantings. There are no trees on the west side, only brush.

- They will be putting in plantings.

It was asked if they will have EV charging stations. The Applicant responded that the length of time they are onsite for prayer is short and it may not make sense. They will need to see if they can get a big enough congregation.

Snow storage is planned for the site.

Chairman Silverberg asked if they plan to have any activities outside?

- The applicant responded no.

Chairman Silverberg is concerned when vehicles leave and want to go Rt 9 west.

- The Applicant intends to advise the Friday congregation to park in the post office for this purpose as it is easier.

The Temple is open all day, 5 times for prayer tend to be early morning and then afternoon. Busiest time is Friday afternoon.

Member Nourse asked if lighting is adequate in the post office parking lot.

- Mr. Robbins can confirm.

The required parking is 127 spots, they need to borrow 40 from the abutter. Chairman Silverberg asked what happens if the post office originally agrees and then decides they no longer will allow shared parking.

- Ifran Baig said he received a letter from the Post Office and it is an open-ended agreement to grant parking. He will provide this to Mr. Robbins.

Mr. Robbins asked about the office park next door. Mr. Baig said they had approached them and were going to enter an agreement to lease a small space and in exchange get parking but the property is being sold and the deal fell through.

If at some point the Post Office denies access to their parking, they can change the congregation from 2 groups to 3.

Member Gelcich requested that any planting be native species.

Mr. Robbins asked about trash disposal.

- The Applicant plans to remove it on their own.

Member Pezzoni added that Westboro Executive Park has sold so they may be able to negotiate with the new owner. Member Pezzoni can get them contact info for the new agent through Mr. Robbins.

Fred Lonardo- Community Development Director, he is not sending them to ZBA, his decision can be appealed to ZBA. He would like to put in the conditions, if the property converts back to anything besides the proposed religious use, it will be subject to the zoning requirements at the time. It will not be considered pre-existing non-conforming.

Member Bouchard made a motion to continue the hearing for Site Plan Review of 6 Bellows to 4/4 at 6:30 pm. Member Nourse seconded.

Vote: 5-0

Continuation of Public Hearing for Earth Moving Permit at 25 Gleason

Adam Brodsky Environmental Attorney and Bryan Washington from Milford Stone were in attendance.

Site visits with Conservation were conducted since the last meeting. Allen from ECO Tech is in front of Conservation now.

They received T&B peer review last Friday and Mike Scott (Engineer) has not had time to write a response.

They are prepared to plant in the Fall but need several months for site preparation.

There are 10 outstanding issues to work through.

1. More detail about Phasing.
    a. Will incorporate milestones into project.
        i. Preconstruction meeting in April at earliest
        ii. Erosion control installed in May
        iii. Construction in May
        iv. Grading would be June
        v. Installation of top soil in Aug to September
        vi. Planting in Sept to November
2. Monitoring
    a. Frequency- monthly and after major storms. Need to monitor for 2 full years of seasons
3. Performance bond to secure the work
    a. Calculation relates to alteration of entire site
4. Secure DPW Stormwater permit
    a. Lisa confirmed it is required, will need SWP and O & M
5. Reporting documents to DPW
6. Waiver relating to seasonal groundwater separation
7. Existing roadway, no further work on site without approval from the town
    a. Proposing boulders put across the road
8. Stock pile creates odors needs to be relocated
9. Replant buffer zone between Ward property and Park Apartments
    a. Topography makes this an issue
10. Intermittent stream
    a. Need to build temp bridge to get across while doing restoration

Mr. Robbins would like to have a work session with Planning, DPW, Lisa Allain Town Engineer, Fred Lonardo Building Commissioner and Mike Scott to go over everything.

Member Nourse asked if the bond covers any/all monitoring.

- Mr. Robbins said the bond is for restoration and stabilization only.

Member Nourse thinks it is wise to have long term monitoring.

At end of 2 years, the applicant will need to provide a report to Conservation.

Milford Stone and the Wards were co applicants for this permit. Chairman Silverberg asked about providing plantings to screen the Park Apartments.

- Mr. Brodsky said this is not an area that Milford Stone is responsible for in this permit. That would be the responsibility of the Ward family. Reprocessed material is being stored here. They made a berm out of it to buffer the sound and dust and the visual from the apartments.

Mr. Lonardo commented that he is overly frustrated with this project. He is only allowing restoration and they should not take any material offsite. He would like the Wards and this applicant to work out the EM permit for the entire site. We have no other permit besides EM to act on. Restoration can happen but nothing else until another EM permit is applied for. Joe Shea helped to create the roadway and stripped the top, he should be working with Milford Stone and the Wards to resolve the issue for the entire site.

They are disrupting more than 500 cubic yards and 20,000 sq. ft.

He does not want to continue to do enforcement.

Member Pezzoni asked if they have been fined.

- Mr. Lonardo said no they have been trying to work with them.

Mr. Brodsky said some of the activities being discussed have been grandfathered in. This resulted in litigation in 1980's. This is an EM permit to do restoration and they are also asking for permission to remove the unused processed stone.

Milford Stone is trying to separate themselves from the Wards. Town was not aware of a lease agreement between the two parties until the last Planning Board meeting.

Mr. Brodsky said if the town wants to pursue the Wards for other violations that is their right. Idea was to take the rock and crush it and put it back in the particular area it came out of. They need to remove rock in the wetland and process the materials to build the detention basins.

Mr. Lonardo's recommendation is to only allow what is on the site to be processed to restore the wetland. Anything else needs to come back for a separate EM permit.

Mr. Lonardo said Jennifer Miller- Conservation Director, was hoping to have a decision tonight.

Member Nourse made a motion to continue the public hearing for the EM permit at 25 Gleason to 4/4. Member Bouchard seconded.

Vote: 5-0

<u>Preliminary Subdivision Plan for 48 Flanders</u>

Two houses are on sewer and two are on septic. They requested three waivers. This lot is less than 10 acres so is not required to do open space unless they choose.

Mr. Robbins went through the decision.

- A Waiver is requested for the roadway to be 7% along 2% of the entire road. Max grade allowed is 6%.
- A Waiver was requested for the roadway to be less than 28' wide. They are asking for a width of 24'.
- A Waiver was requested for off grading of 3:1 slope. They are asking for 2:1 slope. Makes side slope steeper but grading is less and will need fewer retaining walls.
- Requested to add under traffic/roadway #3 Since the project roadway shall remain private, developer shall create an HOA to maintain the roadway and utilities.

Chairman Silverberg wants to discuss privacy mitigation with the abutters.

There are stone walls that exist on the property. Planning Board will need to do a site walk to determine if they will need to be saved.

Member Bouchard made a motion to approve the Preliminary Subdivision Plan for a Residential Subdivision at 48 Flanders Rd. as written in the Board decision dated March 21, 2023 with revisions made this evening. Member Nourse seconded.

Vote: 5-0

Discussion and Vote to Support Article 16 Hocomonco Pond Property Access

The committee has a meeting tomorrow that has info that may affect the committee moving forward. Chairman Silverberg would like to hold off on this discussion.

Release of escrow

There are twenty-two accounts with funds on file with the Treasurer that need to be returned.

Member Bouchard made a motion that the Board return unneeded project escrow funds for completed projects as shown on the list entitled: Closed Projects with a balance on File with Treasurer as of 3/2/2023. Chairman Silverberg seconded.

Vote: 5-0

Informal Discussion regarding Town Meeting Zoning Articles

There were clerical errors on three of the articles. This will appear in the warrant incorrectly but will be noted by the Town Moderator.

Member Gelcich made a motion that the Planning Board support Article 33 as written in the Warrant with the following revisions:

- **Item 20 Change Section 3.2 E to Section 3.1 E;**
- **Item 64 Change Section 7.5 A to Section 7.6 A;**
- **Item 65 Change Section 7.5 B to Section 7.6 B;**

Member Pezzoni seconded.

Vote: 5-0

Old/New Business

Member Nourse made a motion to approve the 2/7/23 minutes. Member Bouchard seconded.

Vote: 5-0

Member Nourse will know Thursday night if they are having a meeting on Wed 3/29 to interview for the Town Planner.

Chairman Silverberg made a motion to adjourn the meeting at 9:13 pm. Member Gelcich seconded.

Vote: 5-0

Respectfully Submitted by Kristen Belanger, Planning Dept. Admin. Assistant

**One board member signature required for approval.*