

MILLBURY PLANNING BOARD

MINUTES

January 23, 2017

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, January 23, 2017 at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Rich Gosselin, Edd Cote, David Haak, Paul Piktelis, Michael Georges

Absent:

7:15 p.m. Steven Choiniere, 8 Broadmeadow Avenue, Special Permit for Accessory Dwelling - Public Hearing

Edd Cote read the legal notice for a public hearing for an accessory dwelling to be located at 8 Broadmeadow Avenue.

Norman Hill, Civil Engineer from Land Planning represented the applicants, Steven & Jackie Choiniere. The accessory dwelling is to accommodate a parent. Mr. Hill provided a general overview of the property and proposed accessory dwelling. The dwelling will be 792 square feet which is under the square footage as outlined in the zoning by-laws.

Discussion followed on where the entrance to the dwelling would be. The property is connected to Town water and sewer. The proposed dwelling unit is one bedroom. Edd Cote noted that the plan shows the property is in a Residential 3 district, however, it is actually in the Suburban 4 district. Mr. Cote noted that all setbacks are being met under the S4 district. Interim Planning Director, Chris Ryan did not have any other issues with the plan.

Edd Cote made a motion to close the public hearing, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to approve the application under site plan review for a special permit for In-law apartment located at 8 Broadmeadow Avenue, Millbury, MA Map 9 Parcel 75 owned by Steve Choiniere prepared by Land Planning, Inc. dated 11/17/16 seconded by Paul Piktelis, voted unanimously.

7:30 p.m. Steven Gaspar, 15 A&B Howe Avenue, Special Permit for Multi-Family Dwelling Public Hearing Continued

The Planning Board received a request from the applicant for a continuance of the public hearing to February 13, 2017.

Edd Cote made a motion to continue the public hearing to February 13, 2017 at 7:30 p.m., seconded by Paul Piktelis, voted unanimously.

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7:30 p.m. Peter Sannicandro, 55 Sycamore Street, Site Plan Decision

Chairman Gosselin provided an overview of the public hearing vote that took place at the January 9, 2017 meeting. The vote taken on the site plan review application was three members in favor and two opposed. The Board thought they needed a supermajority however that was incorrect. Edd Cote explained that the 3-2 vote should have granted approval and the Board would like to rectify the situation.

Chairman Gosselin would like Mr. Sannicandro to solve the problem with the noise.

Edd Cote made a motion to approve the application for site plan review, plan prepared by Peter Sannicandro dated 12/13/16 along with materials filed 9/26/16, seconded by Paul Piktelis. Richard Gosselin, Michael Georges and David Haak voted in favor of the motion. Edd Cote and Paul Piktelis voted against. Motion carried.

Other Business:

Cobblestone Village - Informal Discussion on Limit of Blasting

Mitch Gill of MJG Associates, site supervisor for Cobblestone Village on Howe Avenue came before the Board with a request to review the limit of blasting area as well as preblast notifications. Blastech applied for a permit and there was a question of the preblast survey done by Falvey Associates whereby the notification area may need to be extended out. Mr. Gill identified a sentence within section i of the Planning Board decision for Cobblestone Village the blast area should be defined as limits of construction".

Discussion followed with regard to the "Blast Plan" that Maine Blasting originally identified. The area was then probed and some areas originally identified did not come back with ledge. Falvey Associates identified that blast area and 500' from that area whereby notification of blasting would be made to abutters. Mr. Gill is requesting that notification take place 500' from where the blast area will be rather than 500' of the entire site. Edd Cote noted that the property line spans much further than the blast area identified.

After discussion, Chairman Gosselin is requesting that any property owner that is within the 500' be notified even if the 500' does not reach a house or structure. Mr. Gosselin does not want homeowners left out that should have been included in the survey.

The Board reviewed the plan and had general discussion of properties that are within the "blast area" vs. "construction area".

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Chairman Gosselin would like to confirm that wells and foundations are not within the proximity of the area identified on the plan. Edd Cote foresees that neighbors will come forth that some were notified and others were not. Discussion followed on who would be included in the blasting survey. Michael Georges would rather be overly inclusive based on size and scope of that project, believes all homeowners should be notified that about the property.

Jessica Waters, 62 Miles Street was not previously notified as part of the blasting plan and has her concerns that residents that about the property are being excluded. The Board agreed that if any property touches the 500' blast area whether or not there is a structure in that area, should be notified as part of the blasting process.

Mr. Gill will provide an updated plan to the Interim Planner identifying the additional residents that will be notified.

Autumn Gate Estates - Bond

The Board did not take action on this item as a check for the bond was not received.

Hilltop Estates - Request for Bond Reduction

The Board received a request from Mark Sadowski for a bond reduction with regard to Hilltop Estates. General discussion ensued about the Town engineer's opinion of probable cost for construction numbers. Chairman Gosselin would like to see cost adjustments on line items as follows: for granite curbs (total cost withheld increase from \$2400 to \$2700), concrete bounds (total cost withheld increase from \$600 to \$800) and record drawings (total cost withheld increase from \$3000 to \$4000).

Edd Cote made a motion to approve the request for reduction of surety for plan entitled "Hilltop Estates Definitive Subdivision, Millbury, MA dated October 20, 2008, last revised January 22, 2009. The final figures will reflect the three adjusted items noted, seconded by Paul Piktelis, voted unanimously.

Stratford Village - Declaration of Restriction

The Board was provided a Declaration of Restriction document with regard to Stratford Village. Town Counsel has reviewed the document.

OTHER

Chairman Gosselin opened up discussion with regard to the Associate member position. The Board has discussed this item in the past and whether the need still exists now that the

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meetings are taped and DVDs are available to view in the event a Board member is unable to attend a particular meeting. In order to remove the position, an article would need to go before Town meeting to vote on it. The Board asked interim planning director, Chris Ryan to put something together to get this on the warrant for the annual town meeting.

Chairman Gosselin mentioned that at the special town meeting, there was a sense that a group of individuals may want to get involved with writing by-law language as it relates to the new marijuana law.

Jeff Raymond of 1 Coldbrook Road provided some information to the Board. The Cannabis Control Commission is a state committee and not a local one. He noted that the Town does not have to initiate its own committee. Edd Cote stated that the Town Manager has the authority to make adhoc committees not the Planning Board. Chris Ryan will speak with the Town Manager on this subject. Chairman Gosselin would encourage feedback on this topic from the Townspeople.

Mr. Raymond inquired if the Board was planning on presenting any zoning bylaws this year. Mr. Raymond wanted to ensure that public hearings are held on zoning issues to allow the opportunity for public participation.

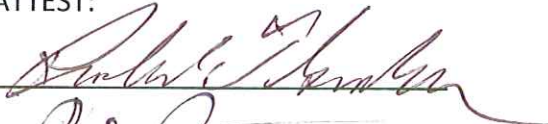

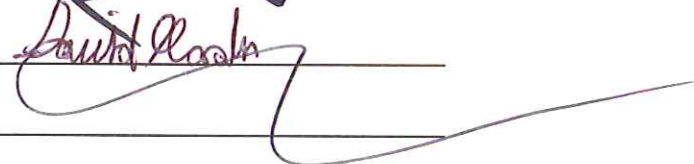
Adjournment

Paul Piktelis made a motion to adjourn, seconded by Edd Cote, voted unanimously. Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Michelle T. Desorcy

ATTEST:



TOWN OF MILLBURY DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508 / 865-0438 • FAX. 508 / 865-0857

PLANNING BOARD AGENDA

January 23, 2017

- 7:15 p.m. Steven Choiniere, 8 Broadmeadow Avenue, Special Permit for Accessory Dwelling - Public Hearing
- 7:30 p.m. Steven Gaspar, 15A&B Howe Avenue, Special Permit for Multi-Family Dwelling- Public Hearing Continued
- 7:30 p.m. Peter Sannicandro, 55 Sycamore Street, Site Plan Decision

New Business:

Other Business:

- Bond Autumn Gate Estates
- Bond Reduction Hilltop Estates
- Mail, Minutes, Vouchers
- All business not reasonably anticipated to be discussed

RECEIVED
TOWN CLERK
17 JAN 20 AM 11:44
MILLBURY, MASS

SIGN-IN SHEET

Date/Time

Steve Christie - SBarrameda
1/23/17

| NAME | ADDRESS | I WISH TO SPEAK | |
|--------------------|---------------------------------|-----------------|-------------------------------------|
| | | YES | NO |
| 1 Alder's LOT & Sr | 55 Olive St COASTERS | | <input checked="" type="checkbox"/> |
| 2 Steve Christie | SBarrameda Ave | | <input checked="" type="checkbox"/> |
| 3 Jim Abel | Appts 1A | | <input checked="" type="checkbox"/> |
| 4 David Knight | 256 Millway Ave, Millway | | <input checked="" type="checkbox"/> |
| 5 Rita Knight | 256 Millway Ave Millway | | <input checked="" type="checkbox"/> |
| 6 Scott Deppner | 21 Water St | | <input checked="" type="checkbox"/> |
| 7 | | | |
| 8 | | | |
| 9 | Steve Chapman - 15th & B Street | | <input checked="" type="checkbox"/> |
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SIGN-IN SHEET

Peter Sannicandy
Date/Time 1/23/19

| | NAME | ADDRESS | I WISH TO SPEAK | |
|----|-------------------------|--|-----------------|----|
| | | | YES | NO |
| 1 | <i>Dennis Slivski</i> | | | |
| 2 | <i>Josua Demers</i> | <i>28 Sullivan Place</i> | | |
| 3 | <i>Peter Sannicandy</i> | <i>46 Sullivan Place</i> <i>55 Yonkers St</i> | | |
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SIGN-IN SHEET

Date/Time 1/23/17
Customer Service/Write Letters/Thank you/Contribute

| | NAME | ADDRESS | I WISH TO SPEAK | |
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| | | | YES | NO |
| 1 | MITCH GILL | 287 W. BOYLSTON ST. W. BOYLSTON | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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