

MILLBURY PLANNING BOARD
MINUTES
JANUARY 25, 2016

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, January 25, 2016, at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Richard Gosselin, Edd Cote, Scott Despres, Paul Piktelis, Michael Georges

7:15 p.m. Jessica J. Extension Definitive Plan Public Hearing

Chairman, Rich Gosselin opened the public hearing.

Attorney, Mark Donahue represented the applicant and provided an update of the project. Revised plans dated January, 20, 2016 were submitted. The plans were reviewed by Stantec who provided a letter identifying some open items regarding pipe sizes and other details which will be addressed on an updated plan. A memorandum from Connelly Associates was submitted to the Board regarding a traffic study dated January 7, 2016. They were asked to review site distance resulting in adequate distance from both directions.

Abutters had inquired about the emergency access. The applicant received comments from the Fire Chief and the plans have been revised showing the emergency access roadway will be paved. Another modification that has been made on the plan is the roadway at the cul- de- sac will be increased to twenty-six feet.

Edd Cote asked Fire Chief Hamilton if he had seen the updated plan and if he was satisfied with the proposed changes. Chief Hamilton said yes. Clerk, Edd Cote read a letter from Jennifer Lahue of 1 Jessica Drive outlining her concerns including acceptance of Jessica J as a Town roadway, complete repaving of Jessica J roadway, maintenance of the proposed cistern, responsibility of an association to maintain infrastructure as well as blasting concerns. Paul Hutnik noted that the cul de sac has been widened and one way signage has been added to the plan. Edd Cote read a letter from Daniel Girard, Jr. of 30 Herricks Lane inquiring about resurfacing of pavement of a sewer line easement that will go through their property. Mr. Cote stated this issue has been addressed as Herricks Lane to the extension will be repaved. Edd Cote read a letter from Donna and Melissa Conlin-Stolberg of 28 Herricks Lane requesting the right of way be repaired. Mr. Cote again noted this item has been addressed.

Chairman Gosselin initiated discussion if the traffic study took into account the condition of the existing roadway. Chairman Gosselin has concern with the width of the roadway in certain areas especially if there was snow, etc. Paul Hutnik provided details as to how the information was calculated including the type of zone, impediments and site distances based under current conditions on a specific day at the existing intersection. Chairman Gosselin doesn't want to

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create a safety problem. Attorney Donahue noted that Connelly Associates recommended leaving the cul de sac with no changes. After conversation with the Fire Chief and Planner, the cul de sac will be widened. Attorney Donahue stated the intersection of the roadway is the responsibility of the developer. Based on the study, the traffic will adequately enter at Herricks Lane.

Scott Despres, addressing Mrs. Lahue's letter, inquired as to why Jessica J is not a Town road. Planner, Laurie Connors provided details that homeowners had the opportunity to do this at Town meeting by providing waivers to the Town. Because not all homeowners provided said waivers, no further action was taken and the roadway was not deeded to the Town.

Stephanie Mastragiacommo of 3 Jessica Drive inquired about blasting and how homeowners can protect their property. Laurie Connors provided details as to how blasting is to occur including fire department oversight, conducting a preblast survey and testing of wells.

General discussion took place as to the condition and safety of the existing roadway on Jessica J. Attorney Donahue stated that Jessica J was built and inspected in accordance with Town regulations. Time has passed reflecting the current condition of the roadway. The roadways were and will be built in accordance with Town specifications and inspections. Chairman Gosselin restated that work will be monitored and built to meet Town standards.

Chairman Gosselin inquired about the Operations and Maintenance Plan, specifically who is going to take care of drainage and catch basins. Paul Hutnik stated there will be a homeowners' association in place and that it will be the association's responsibility to maintain it. Laurie Connors said language is put into the decision that a maintenance trust must be in place. If work is not done, the Department of Public Works can send a letter to the homeowners and they will need to address the problem within a fourteen day period. If not completed, the Town could do the work and then could put liens on property owners to receive reimbursement.

Terry Burke Dotson of 20 Salo Terrace inquired about running a water line to the development. Ms. Dotson read a letter from Aquarion Water stating there is adequate supply to provide water service. Attorney Donahue stated that all items were thought out and spoken about in the last year and that water was looked at as part of the overall comprehensive plan. Public water service will not be brought to the development.

Chairman Gosselin brought about discussion of panels and certain mesh for stabilization from the edge of the pavement and dirt shoulder. He does not see it on the plan and would like it included. Paul Hutnik has looked at different approaches to stabilization as well as reviewing

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Central Massachusetts Regional Planning documents on the topic as well. The standards and method Mr. Hutnik wants to use is fifteen to twenty years old and has been proven.

Attorney Donahue presented a letter of extension for construction to October 21, 2015.

Edd Cote made a motion to grant Baggy M Realty Trust an extension until February 10, 2016 for the Board to act on the Definitive Subdivision Plan, "Jessica J Drive Extension dated 10/21/15, seconded Paul Piktelis, voted unanimously.

Edd Cote made a motion to continue the hearing to February 8, 2016 at 7:30 p.m., seconded by Paul Piktelis, motion carried unanimously.

7:45 p.m. Wide World of Indoor Sports Public Hearing, cont.

Chairman Gosselin opened the public hearing. Attorney Mark Donahue spoke on behalf of the applicant. Attorney Donahue noted that there were two issues to be discussed with CLA engineers as a result of recommendations made by the Town's engineering firm Stantec. Changes were made and the plan has been updated.

The larger issue was based on testimony received about the (Montville) CT facility with regard to inadequate parking. The applicant looked at expanding, looked at a parking operations and maintenance plan, as well as a parking demand study conducted on the CT facility.

A parking demand study was presented as well as an operations and maintenance plan dated January 19, 2016. Start times for games would be staggered and attendants will man the parking lots when there are playoffs taking place to supplement the overall parking plan.

Sean Kelly with Vanasse Associates provided additional details of the parking demand study. The Montville site was utilized for the study as the proposed building and site in Millbury is similar. Based on the information gathered, the Millbury location will have an additional seventy-one spaces. Edd Cote noted that this change addresses the Police Chief's concern for an additional twenty spaces. Michael Georges inquired if parking takes into account snow spaces that may be lost. Rodney Galton of CLA engineers stated that pervious pavers were placed behind the building and the area was never part of the snow storage area. Mr. Galton further stated that the Police Chief wanted the island extended twenty-feet for entry onto the highway. The island now extends twenty-two feet. The police also wanted additional striping. The Chief's items have all been addressed.

Mr. Galton met with the Conservation Commission including discussions on drainage impacts to Fink Road. Mr. Galton analyzed drainage heading towards Fink Rd. The two year and ten year

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storms now meet pre and post development conditions and have reduced the peak rate of discharge for one hundred year storms. Mr. Galton also looked at Route 146 drainage. There are limited options to handle the last two hundred feet of roadway. Information has been sent to MA DOT (Department of Transportation) to review and there may be an alternative area to tie into on 146 which would push flow past the abutters' properties and possibly eliminate current issues they are having. Mr. Galton will be meeting with MA DOT to discuss alternatives. Wide World of Indoor Sports would be willing to run pipe down the shoulder into 146. No field work has been done but discussions were based on existing plans Mr. Galton received from MA DOT.

Clerk, Edd Cote read a letter into record from Kevin Casillo of 122 Worcester Providence Turnpike who has agreed to move forward with relocating the drive. Edd Cote read into record a petition from residents who will be affected by stormwater runoff with the development of Wide World of Sports. Residents that signed the petition; Wayne Wunschel, 3 Fink Road, Richard Parella, 3 Mitchell Road, Robert Roy, 75 Sycamore Street and Virginia and Joseph White, 73 Sycamore Street.

Clerk, Edd Cote read letters from Richard Parella of 3 Mitchell Road outlining various issues for Planning Board consideration including, increased water flow to his property, discussions with MA DOT to improve drainage on Route 146, flood and wetland analysis with additional parking spaces, bringing utilities up Route 146 and providing stormwater calculations. There was also an inquiry as to the impacts with traffic and noise if a bar is proposed at the facility.

Attorney Donahue noted that calculations have been provided with regard to stormwater management. Mr. Donahue stated that there will be an application for a beer and wine license. The bar could close anytime between 10pm and 1am.

Clerk, Edd Cote read an email from Lieutenant Bunnell of the Montville Police Department stating that there have been no calls for police service or complaints of parking based on review of logs and discussions with patrol Sergeants.

Clerk, Edd Cote read letter from Dominic Restagno of 32 South Main Street, Millbury citing his concerns about parking and safety noting that an additional ten to twenty percent more parking spaces might be required. The Planning Board received a lengthy letter from Wayne Wunschel, 3 Fink Road. At the writer's request, the letter received January 12, 2016 will not be read into public record but is available for review. Edd Cote read a letter from Richard Parella on behalf of residents' concern about excess drainage and increased water levels on abutters'

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properties. Mr. Parella also stated concerns related to blasting and increased traffic on Sycamore Street.

Rodney Galton stated an application was submitted to MA DOT with updated information on drainage. Mr. Galton is planning on meet with MA DOT to discuss alternatives. Mr. Galton does not anticipate blasting. They are planning on running sewer and water down Fink Road. Mr. Galton does not have boring information, but recognized that there are blasting procedures that would need to be followed if that were to occur.

Wayne Wunschel, 3 Fink Road brought up various concerns including parking, catch basins and feasibility of fire hydrants.

Steve Sangermano, owner of Wide World of Indoor Sports provided additional details on the project stating that the proposed Millbury facility closely resembles the facility in Montville, CT. He stated that they have not had any problems with adults or police. The facility is family friendly and his intent is to work with everyone.

Richard Parella of Mitchell Road states that he has been speaking with MA DOT and they have not had discussions with CLA. Mr. Parella restated his concern that water flow will be 250% more than what it currently is.

Town Planner, Laurie Connors informed the Board the plan has been updated to include all changes including recommendations from Stantec.

Chairman Gosselin stated that runoff is an open issue and the applicant would need a commitment from the State. Laurie Connors said the Board has to render a decision in order for MA DOT to render their decision. Minor changes could be included as part of the condition of approval. Attorney Donahue said that MA DOT does not evaluate or grant approval until all requisite approvals are complete. Mr. Donahue said a condition of approval regarding MA DOT could be added. They would like to move forward for approval and construction.

Mr. Galton restated that approximately 203 feet of roadway towards Route 146 will drain into catch basins, stormwater will be captured and put into a manhole – exactly what is presented on the subdivision.

Paul Piktelis initiated discussions and concern with regard to an increase of approximately two and one half times the flows in a two year storm that could impact residents. Mr. Galton stated that bypassing residents with the discharge is the alternative being proposed.

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Fire Chief Hamilton inquired about the refueling station as shown on sheet seven of the plan. Mr. Galton said this is a temporary area to be used during construction and equipment storage.

Motion by Edd Cote to close the public hearing, seconded by Paul Piktelis, motion carried unanimously.

Laurie Connors stated that under section 5 there is a condition "w" on the proposed decision that takes into account authorization from MA DOT.

Mark Donahue suggested adding the following language on condition "w" and, if permitted, connect subdivision drainage to existing culvert running approximately eight hundred feet north across Rte. 146 and north of Sycamore Street.

Edd Cote made a motion to grant waiver under section 5.3.3: Waiver to accept a Street Plan and Profile at a scale of 1"=20' horizontally and 1"=4' vertically, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to grant waiver under section 6.7.6: Waiver to accept a 50' wide right-of-way and 26' wide paved width for the proposed roadway Wide World Place, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to grant waiver under section 6.13: Waiver from the requirement to provide sidewalks and bicycle paths on both sides of the street providing access to commercial and retail facilities. Given that the sole access to the facility is provided via a highway with no pedestrian or bicycle accommodation, the Planning Board determined that a sidewalk on one side of Wide World Place was sufficient, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to grant waiver under section 12.45 paragraph (o): Waiver from the requirement to provide granite curb in front of sidewalks abutting buildings. Monolithic concrete curb shall be provided where the sidewalk abuts the building.

Edd Cote made a motion to grant waiver under section 48.51: Waiver from the requirement to provide a 4' high, 25' wide earth berm between the development and residential and suburban properties. Given the extensive system of wetlands around the development, an established vegetated buffer already exists, seconded by Paul Piktelis, voted unanimously.

Edd Cote make a motion to approve the Notice of Decision, Definitive Subdivision Approval, Site Plan Review Permit, Route 146 Overlay Special Permit and Stormwater Management Permit for plan entitled "Wide World Place Definitive Subdivision & Proposed Site Plan, 124 Worcester Providence Turnpike, Town of Millbury, Worcester County, MA, Prepared for Wide World of

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Indoor Sports”, last revised 1/19/16, prepared by CLA Engineers, Inc. subject to conditions a through dd. Conditions subject to the amended condition “w”, seconded by Paul Piktelis, motion carried unanimously.

8:15 p.m. Greenwood Street Solar Public Hearing, cont.

Clerk, Edd Cote read a letter from the applicant requesting a continuance of the public hearing. Motion by Edd Cote to continue the public hearing to Monday February 8, 2016 at 8:00 p.m., seconded by Paul Piktelis, motion carried unanimously.

8:30 p.m. Performance Guarantee Release – Hilltop Estates

Laurie Connors informed the Board that they are holding monies in escrow to complete final items of conditions placed on the project identified as Hilltop Estates. Stantec has estimated costs to be \$76,996.00 to complete the remainder of work. The applicant has provided cashiers’ checks for that amount. The owner is seeking release of the covenant in order to begin construction of the homes.

Motion by Edd Cote to release the covenant for lots 1 through 3 on a plan of land entitled “Hilltop Estates Definitive Subdivision, Millbury, MA” which is recorded with the Worcester Registry of Deeds in Plan book 874, Plan 82, covenant between Easthill Enterprises and the Millbury Planning Board, dated April 13, 2009 and recorded with said Deeds in Book 53870 page 147, seconded by Paul Piktelis, voted unanimously.

8:45 p.m. Greenleaf Terrace Preliminary Plan

Norman Hill of Land Planning represented the owner of the property, Moe Haghdoost who would like to divide his property into two lots. Mr. Hill provided an overview of the plan.

Mr. Hill stated that he has obtained permission from the gas company that would allow the road as it is configured on the plan. His client is willing to do an association to maintain the roadway which will always remain a private road. The plan is proposed under a minor residential compound. Mr. Hill is aware the proposed cul de sac must accommodate the turning radius of the hook and ladder truck per the fire department.

Laurie Connors did not prepare a decision as the Planning Board does not typically render decisions on preliminary plans. Ms. Connors did not send to the engineer for review so there are not comments from them. Chairman Gosselin pointed out additional information needed to be shown on a definitive plan. Chairman Gosselin provided geo mesh information to Mr. Hill

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to stabilize swales. Chairman Gosselin doesn't see anything stopping them from meeting the criteria to move forward with a definitive plan. Mr. Hill will go forward with design.

Other Business:

Edd Cote initiated discussion on the recommendation on Oakwood Heights Roadway Layouts. The Board of Selectmen would like to act on this at their meeting on January 26, 2016. Edd Cote and Scott Despres walked the property. Scott is in favor to accept. Edd was surprised at the good condition of the roadway surface. The sidewalks had some cracking and there were some cracks in the street, however it is better than many other streets in the Town.

Edd Cote would like to recommend to the Selectmen acceptance of the roadway layout. Laurie Connors noted that the roadways need to be laid out prior to accepting the roadways at Town Meeting. The motion would be just for the layout.

Edd Cote made a motion recommending that the Board of Selectmen lay out the roads of the subdivision known as Oakwood Heights, seconded by Paul Piktelis, motion carried unanimously.

Adjournment

Motion to adjourn by Edd Cote; seconded by Paul Piktelis, motion carried unanimously.
Meeting adjourned at 9:55 p.m.

Respectfully submitted,



Michelle T. Desorcy

ATTEST:

















