

MILLBURY PLANNING BOARD  
MINUTES  
June 23, 2014

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MILLBURY MASS

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, June 23, 2014, at 6:30 pm in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Jeff Markarian, Edd Cote, Richard Gosselin, Paul Piktelis, Michael Georges (arrives at 7:00 pm)

6:30 p.m. Motion by Jeff Markarian, seconded by Edd Cote, to enter into Executive Session for the purpose of discussing labor related items, upon unanimous roll call vote, motion carried unanimously.

**7:15 p.m. 8 Ward Avenue, Site Plan Review Public Hearing, continued**

Peter Keenan, attorney for the applicant was present with Kevin Quinn, engineer, and owner Robert Samara.

Kevin Quinn addressed the Board stating that the plans were revised and then addressed the comments from DPW and the Board of Health. He asked that the requirement to have iron pins placed on the plan be a condition of approval.

Jeff Markarian read the following letters into the record.

E-mail dated 6/17/14 from DPW Director Robert McNeil requiring applicant to apply for industrial sewerage permit and related comments

E-mail dated 6/23/14 from DPW Director Robert Neil, advising that the applicant's engineer has addressed all comments

6/13/14 review letter from Board of Health Engineer, James Malley.

There was no public comment.

Motion to close public hearing by Jeff Markarian, seconded by Paul Piktelis motion carried unanimously.

Waivers:

Motion by Jeff Markarian, seconded by Paul Piktelis to reduce the technical review fee to \$3,000, motion carried unanimously.

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Motion by Jeff Markarian, seconded by Paul Piktelis to waive Section 12.44 (a), requirement to submit a lighting intensity (photometric) plan, motion carried unanimously.

Motion by Jeff Markarian, seconded by Paul Piktelis, to waive Section 12.44(b) requirement to submit a separate landscape plan, existing and proposed limits of vegetation shall be depicted on the site plan, motion carried unanimously.

Motion by Jeff Markarian, seconded by Paul Piktelis, to waive Section 12.44( c ) requirement to submit an isometric line drawing, motion carried unanimously.

Motion by Jeff Markarian, seconded by Paul Piktelis, to waive Section 12.44 (e) requirement to submit building elevation plans at a scale of  $\frac{1}{4}'' = 1'$ , the elevation plans shall be at reduced scale and dimensioned, motion carried unanimously.

Motion by Jeff Markarian, seconded by Paul Piktelis, to waive Section 12.44 (f) requirement to submit a full Development Impact Statement due to the small size of the project, motion carried unanimously.

Motion by Jeff Markarian, seconded by Paul Piktelis, to waive Section 12.45 (o) requirement to install concrete curb around the perimeter of all proposed driveways and parking areas. The applicant shall install concrete curb stops where parking spaces abut the property n/f owned by Lyons, motion carried unanimously.

Motion by Jeff Markarian, seconded by Paul Piktelis, to grant the Site Plan Review permit for 8 Ward Ave subject to conditions a – p, as depicted on plan entitled "Proposed Site Plan in Millbury, Massachusetts" dated May 15, 2014, last revised June 23, 2014, prepared by Quinn Engineering, Inc., PO Box 107, Paxton, MA, motion carried unanimously.

**7:30 p.m. Cobblestone Village Multi-Family Permit & Stormwater Permit public hearing**

Clerk Jeff Markarian read the public hearing notice.

John Grenier, applicant's engineer, gave an overview of the project. The property is located on Howe Avenue, across from factory buildings. 72 units are proposed, mostly two bedroom, but there will be some single bedroom units. This property

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was previously permitted for 8 house lots. The applicant will ask to have that decision rescinded. There will be an office centrally located, with walkways throughout the site, and a playground in the central area.

Paul Apkarian, applicant's architect showed a rendering of one of 6 buildings to be built. The building will be three stories high (44 feet), symmetrical, no color discussed yet. Composite material, siding used for exterior, with split stone below, and smooth plank on bottom.

Mr. Grenier explained site elevations. The property drains to the south. There will be a one way access, 3 – 5% slopes, elevations range from 415 to 390, 25 to 30 foot elevation difference from north to south.

Clerk Jeff Markarian read letters:

Letter dated June 13, 2014 from James Malley, Board of Health engineer

Conservation Commission memo dated 6/20/14

6/18/14 letter from Francis King, Aquarion Water Co.

Letter email dated June 23, 2014 from David Rudge Fire Chief

Paul Piktelis asked if blasting is not used, how will they change the elevation it is all ledge there. John Grenier stated that the applicant was looking at blasting, he just saw this comment from Aquarion a couple of days ago. They can use alternative chemicals that wouldn't be hazardous to wells etc.

Edd Cote asked how many one bedroom and how many two bedroom apartments in the complex, he is concerned with two bedroom apartments and the impact to the schools. He wants to know when the fiscal impact statement will be completed – applicant advised that they are still working on it. Hamilton St., Lincoln St., Lincoln St. Ext. Prospect St. residents want to know where their neighborhood is located for a better perspective.

Rich Gosselin wants monuments on all corners. He is concerned with drainage area in front, he asked to have it re-located at the initial meeting, it is too close to the downtown area. He asked about using the concept of rain gardens, asked the applicant to get creative. Mr. Grenier stated that landscape features can be added, and that he can look at this type of design.

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Laurie Connors advised the Board that she never received the landscape plan.

Chairman Gosselin opened the hearing to the public

Margaret Dupius, 4 Lincoln Ave., cesspool will be in back of her yard, stagnant with mosquitos, what will happen to her land? Water comes from ledge all the time, will cellar and ledge near her fall away when blasting starts? Impact to property value. What will they do to address Lincoln Ave. residents. Mr. Gosselin stated that neighborhood studies on foundations will be required. She asked about impact to wetlands, there is a brook in her back yard. Water comes to her driveway already. Concerned with blasting near town water supply. Asked how close to her home catch basin will be. Mr. Gosselin asked her to wait until next meeting when plan will reflect abutters information.

Mr. Grenier stated that the plan is designed as an infiltration basin, water to be infiltrated into ground, calculations will have to be shown that water will have to drain within 72 hours. The current design takes into account areas of sandy soil. Mr. Gosselin asked how deep the retention areas are and Mr. Grenier replied that they are about 4 feet from berm.

Donald Rajot, 36 Lincoln Ave. Ext. stated that when he exits street he has to wait 7 to 9 minutes as it is now along Howe Avenue. The plan doesn't show the large ponds there, one is a reservoir, and added that it looks like the water level was lowered or that water has been redirected. A vernal pool is located where the detention basin is near or located on. Howe Ave has had flooding many times.

Mr. Gosselin advised that the state has a documented list of vernal pools, and suggested he check that site.

Todd Broberg, 48 Miles Street, stated that the plan doesn't show any abutting neighborhoods. He can't tell how this will affect them from this plan. There are unsightly basins right on Howe Ave. 142 cars gas and/or oil will go into the infiltration basin, and it could sit 72 hours and then infiltrate into system. How did this go from 8 houses to 72 units? Two bedroom - two bathroom apartments will have a big impact on infrastructure. Sewer bills will increase because of increase to system. As for the tax base - will tax on this property cover the impact to schools? Huge reservoir and wetlands there. Grade is a lot more than 25 feet, and it is all wet and muddy. Streets were just repaved, vibratory roller

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was used, two water mains were broken so what do you think blasting will do there.

Mr. Gosselin advised that the zoning there allows the increase from 8 houses to 72 apartments.

Donald McCloud, 60 Miles St. asked if the neighborhood streets could be drawn on the plan, the applicant agreed to come back with that information on the plan. There will be landscaping around abutting streets and neighbors. He asked how many parking spaces would there be, and was advised that there will be 158 spaces.

Mr. Grenier said that he can provide a locus plan at a smaller scale.

Scott Robbins – 49 Howe Ave. stated that he is the last house on Howe Ave. and that his whole basement is ledge, rocks that cannot be removed by any machine. If trucks drive by it shakes, the house was built in 1920 and will be ruined. His house will never stand up to blasting. This plan looks like it will take up everyone's yards with buildings. He can't imagine building these buildings on such wet land. To see the amount of ledge just go see his property.

Fran King, 92 S. Oxford Rd., advised that the applicant has not approached Aquarion Water Co. to see if water is available there, and he stated that there are also many concerns with the impact to the community. He has heard from many of these residents and they are concerned with water systems. There is a reservoir above, and a well there, runoff and blasting will have an effect on all water systems. Fire service will be necessary for each building because they are three story buildings.

Larry Richards, 6 Lincoln Ave., stated that the people across street and higher up have sump pumps now. He asked if there is financial funding? Will there be low income units there? What does the term luxury apartments mean? Mr. Grenier said it sounds like you mean 40B and the answer is no, they will be privately owned.

Roland Vaillancourt, 60 Howe Ave., asked the Board to take the neighborhood into consideration, he lives right next to pond. All earth and ledge will be removed, so when that happens are the basins going to catch it? The pond fills up

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and goes over the road when there are several days of rain. His land is loaded with ledge, this hill must have it there too. He is also concerned with blasting. He asked where the entrance will be and was advised that it will be in front of the crosswalk that was there. He is concerned with traffic, it already takes 5 to 10 minutes to get out of yard – 158 parking spaces added to Howe Ave. will add congestion there.

Theresa Kiristky, 48 Miles Street asked how much they would charge for the rental units and whether there was any marketing plan in place. She was told that this has not been determined yet. She asked how high the garages would be and was told that they would be one story. She didn't receive a notice of the hearing. Laurie Connors stated that notices were sent to all abutters within 300 feet. She would like landscaping coverage on the back side, as well as in front on Howe Ave. and asked if this was a done deal or not. Mr. Gosselin advised that it was not, and would not be until the Board votes.

Jonathan Rictor 46 Miles St., asked if there would be any kind of recreation on the property – he was told that there would be one small playground and the office may have a small room that could be used. He was concerned with kids there, and with them walking up streets with extra traffic, he would like to have the applicant work with the town to ensure kids stay within the complex. He was concerned with kids and the proximity of the ponds there too.

Motion to continue public hearing to July 28, 2014 at 8:15 p.m., by Jeff Markarian, seconded by Paul Piktelis, motion carried unanimously.

Chairman Gosselin declared a five minute recess.

**8:55 p.m. Selection of Planning Board's Engineering Consultant**

The Board will grade each of the three candidates: Graves Engineering, Tighe & Bond, Fay Spoffard Thorndike and then open the price proposals.

Laurie Connors stated in the past this has been handled in Executive Session.

Motion to enter into Executive Session for the purpose of conducting strategy sessions with non-union personnel, and to return to open meeting for the purpose of adjournment, by Edd Cote, seconded by Jeff Markarian, on roll call vote it was unanimous.

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Board returned to open meeting. Chairman Gosselin advised that the Board rejected all three proposals, and will ask for a new round of proposals to be sent out to attract a broader field. In addition, the Board will ask Tighe & Bond to extend the contract for 90 – 120 days depending on the law.


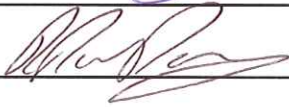
**Adjournment:**

Motion to adjourn by Edd Cote, seconded by Paul Piktelis, motion carried unanimously. Meeting adjourned at 10:00 p.m.

Respectfully submitted,

Susan M. Dean

ATTEST:

  
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