

MILLBURY PLANNING BOARD
MINUTES
August 22, 2016

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, August 22, 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, David Haak, Paul Piktelis

Absent: Michael Georges

7:15 p.m. Autumn Gate Circle – Request for Extension with Minor Modifications

Edd Cote read the public hearing notice. Edd Cote made a motion to open public hearing, seconded by Paul Piktelis, voted unanimously. Chairman Gosselin asked permission from the applicant to continue the public hearing to 7:25 p.m. Edd Cote motioned to continue the public hearing until 7:25 p.m., seconded by Paul Piktelis, voted unanimously.

Edd Cote motioned to re-open the public hearing at 7:25 pm for Autumn Gate Circle, seconded by Paul Piktelis, voted unanimously.

Attorney George Kiritsy was present along with Steve Gallo, principal of Fox Gate LLC requesting a three year extension of the construction deadline for Autumn Gates Estates. The Board also received a written request from Attorney Kiritsy to discuss two minor modifications to the subdivision. The developer would like to move the location of an easement over Lot 9 and would also like to change the material to be used on the sidewalk installation. The developer would like to amend the subdivision condition to replace concrete sidewalks with asphalt sidewalks.

Chairman Gosselin visited the site and initiated discussion on the functionality of the catch basins as well as the condition of the base coat of the roadway. Mr. Gallo stated if they were to top coat the road now, it could still get damaged due to ongoing construction. Mr. Gallo disagreed with the Chairman that catch basins aren't working properly. Mr. Gallo would like to get the first one thousand feet of roadway installed and approved. He noted that the previous planner would not approve partial acceptance. Mr. Gallo indicated the roadway will be installed to the standard as outlined in the bond. Chairman Gosselin asked if the construction vehicles could enter and exit using one side of the roadway. Paul Piktelis also asked Mr. Gallo to ensure they keep up with the sweeping of the roadways. Mr. Gallo provided his contact information to the Board members in the event they have any concerns.

Chairman Gosselin asked if a grading plan was given to the Department of Public Works regarding the easement. Mr. Gallo stated the area is flat and not much grading is needed. The

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MILLBURY, MASS

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easement is for access to the detention area strictly to clean the detention basin. Chairman Gosselin reminded Mr. Gallo to monument the easements. Mr. Gallo will modify the plan to show bounds.

Discussion on sidewalks ensued. Chairman Gosselin stated that homeowners purchased houses based on Town approved plans that showed concrete sidewalks. It is his opinion that they would be devaluing properties if this was changed at this time.

Attorney Kiritsy indicated that there are provisions in the regulations to pursue waivers. Attorney Kiritsy noted that concrete is not utilized in most Towns. Cost is not a factor but more of a logistical issue. Attorney Kiritsy identified potential maintenance issues on concrete for example, including placement of ice melt that could deteriorate the quality of the sidewalks. The Town would be bound to replace sidewalks with concrete if the developer is bound to concrete. Edd Cote is unfamiliar with issues with ice melt on concrete and doesn't see an issue throughout Town. After general discussion, Attorney Kiritsy respectfully withdrew the request for change of sidewalks from asphalt to concrete.

Lindsay Shamoian of 11 Autumn Gate Circle questioned the time frame for completion of sidewalks as well as roadways with raised manhole covers and installation of street lights. It is not safe to walk in the neighborhood. Edd Cote has safety concerns with construction vehicles and would like to see priority in getting sidewalks where houses are already built. Ms. Shamoian indicated that snow plows hit the manhole covers. Edd Cote stated the developer has a valid concern that construction vehicles still use the roadway and understands that the developer shouldn't have to pave roadways to the final coat at this time.

Carey Santiago, 8 Autumn Gate Circle questioned the timeline on completion of work. She indicated that drainage is an issue. During rain events debris is pushed to the property at the end of the roadway. She also noted that there are approximately nineteen children in the neighborhood. It is not safe to ride bikes. Chairman Gosselin would like to see closure on some of the items. Mr. Gallo does not decide the schedule and does not have specific timelines right now. Mr. Gallo will convey the Board's concerns. Edd Cote would like to see sidewalk installation as a priority due to safety concerns for children in order to keep them out of the street.

Jenn Hiitt of 12 Autumn Gate questioned the request for extension of three years for the deadline for construction. Ms. Hiitt also noted that she is at the bottom of the hill and the yard is flooded when it rains. She requested speed bumps to slow traffic down as you cannot see vehicles coming around the corner near her home. Ms. Hiitt asked what type of street lights

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are proposed and questioned when the area from the curbing to the front yards will be cleaned up. Paul Piktelis asked what was wrong with the curbing. Mr. Gallo stated that some of the driveways need curbing replaced and some curbing will be relocated. Mr. Gallo will look at Ms. Hiitt's property. Edd Cote noted that speed bumps likely wouldn't be approved by the Department of Public Works.

Paul Piktelis requested that Mr. Gallo install signs one stating "not a construction entrance" and another stating "construction entrance". Mr. Gallo would also add signage that indicates children at play. Mr. Gallo suggested that additional signage will be installed within thirty to forty days.

The Board would like to know the intentions of the developer for a phasing plan to complete the work. Mr. Gallo would like to install sidewalks this year, however can't guarantee that it won't be completed until springtime. Chairman Gosselin also asked Mr. Gallo to clean out low lying vegetation so that site visibility is better.

General discussion followed on tree plantings and installation of mailboxes. Mr. Gallo indicated that some trees replanted and that he does not have anything to do with mailbox installation. Residents should contact the postmaster with regard to questions regarding mail delivery.

Residents would like to have some idea as to when work on the subdivision will be completed. Chairman Gosselin would be willing to grant an extension for one year expecting the contractor to show reasonable results.

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

Edd Cote made a motion to allow the developer to withdraw the request without prejudice to change the materials to be used on sidewalks, seconded by Paul Piktelis, voted unanimously. (concrete sidewalks to be installed)

The Board is requesting an updated plan showing monuments.

Board members would like to see substantial progress on the sidewalk installation encouraging the developer on this issue. There are children in the neighborhood and this is a safety issue. Mr. Gallo stated it is his priority, however scheduling is a concern.

Paul Piktelis restated discussion items; sidewalks are a priority, clean up the brush for visibility, install signage and keep streets clean. Mr. Gallo is also moving in the direction with installation

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of lighting. Chairman Gosselin noted that before another construction extension is applied for, he would like to see roadway paving completed.

Edd Cote made a motion to extend the completion date for the construction of infrastructure until August 31, 2017 for Plan entitled "Autumn Gate Estates Definitive Subdivision Plan of Land in the Town of Millbury, Massachusetts", dated May 18, 2004 last revised on April 20, 2005, prepared by Heritage Design Group, seconded by Paul Piktelis, voted unanimously.

7:20 p.m. John Todd Miles & Susan Miles, 40 Park Hill Avenue - ANR Plan

Byron Andrews from Andrews Survey & Engineering, represented the applicants' filing of an ANR plan with regard to the property located at 40 Park Hill Ave. The owners would like to create a buildable lot. The property has sewer, meets dimensional requirements and frontage needs.

Edd Cote made a motion to endorse the ANR plan for Division of Land of 40 Park Hill Avenue in Millbury, MA owned by John Todd Miles and Susan S. Miles, prepared by Andrews Survey & Engineering, Inc. dated 7/8/16 last revised 8/22/16, seconded by Paul Piktelis, voted unanimously.

The Board took a five minute recess at 8:45 p.m.

7:25p.m. Peter Sannicandro, 55 Sycamore Street - Request for Waivers from Site Plan Review Application

Peter Sannicandro submitted a letter to the Board requesting waivers regarding a non-commercial hobby kennel located at 55 Sycamore Street. Chairman Gosselin would not approve waivers without the actual checklist completed. General discussion followed on the items presented; lighting probably doesn't apply, Chairman Gosselin would like to see a locus plan, a development impact statement would likely not be needed, item #2 cannot be waived as item 2I requires signatures of approval of the Planning Board.

As part of the application/approval process, Edd Cote would like the Board to consider a letter from Dan Chauvin or other professional entity to ensure the location is a healthy environment for the dogs as well as documentation from the MSPCA.

The Board requested that Mr. Sannicandro be invited to attend another meeting.

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Minutes

Edd Cote made a motion to approve the minutes of August 8, 2016, seconded by Paul Piktelis, voted unanimously.

Other Business

A.F. Amorello and Sons, Hidden Meadows Subdivision - Release of Bond

The Board received a request from Travelers Bond Department inquiring if a subdivision bond could be released for work completed by A.F. Amorello and Sons, Inc. with regard to Hidden Meadows Subdivision. If the bond can be released, Travelers will go ahead with the process for proper cancellation. The Town accepted the roadway in 2007.

Edd Cote made a motion to release the amount of \$50,000.00 currently held as performance bond executed in 2002 by Travelers, seconded by Paul Piktelis, voted unanimously.

Spectrum

Chairman Gosselin informed the Board that he had discussion with Town Counsel, Acting Town Manager and the Building Inspector with regard to Spectrum (methadone clinic).

Chairman Gosselin pointed to the Dover Amendment whereby the use is exempt from many of the zoning provisions. Edd Cote is under the understanding that the applicant is required to go through site plan review. Chairman Gosselin noted there are limited items that can be required by Planning such as parking, lighting and safety. The Board agreed that the applicant should go through the site plan review process including any waiver requests they may wish to seek.

Associate Member

Chairman Gosselin spoke with the Acting Town Manager regarding the Associate Member position on the Planning Board. With the Mullin Rule Act available, there was discussion as to the pros and cons of the position. The Planning Board's intent is to go to Town Meeting and ask that the position be removed from the Board. Chairman Gosselin thought it would be unfair to appoint someone to the Board and then eliminate the position in the near future. The need for the position has gone away. Terry Burke Dotson displayed her interest with the position since it is on the books and is willing to serve until the position is abolished.

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Adjournment

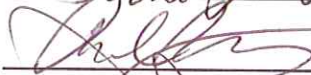
Paul Piktelis made a motion to adjourn, seconded by Edd Cote, voted unanimously. Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Michelle T. Desorcy

ATTEST:







David Alarick





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

August 22, 2016

- 7:15 p.m. Autumn Gate Circle - Request for Extension with Minor Modifications
- 7:20 p.m. John Todd Miles & Susan Miles, 40 Park Hill Avenue - ANR Plan
- 7:25 p.m. Peter Sannicandro, 55 Sycamore Street - Request for Waivers from Site Plan Review Application

Other Business:

A.F. Amorello and Sons, Hidden Meadows Subdivison - Release of Bond

Old Business:

- Mail, Minutes, Vouchers
- All business not reasonably anticipated to be discussed

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MILLBURY, MASS.

SIGN-IN SHEET

Planning Board

Date/Time

August 23, 2016

Autumn Gate Circle

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 PAUL A. LITTLE	108 GRATTON ST		
2 Lindsay Shamoiner	11 Autumn Gate Circle	✓	✓
3 Casey Santiago	8 Autumn Gate Cir	✓	
4 Westal Sembrak	8 Autumn Gate Cir	✓	
5 Marie Kirby	294 W. Boylston St. w/ w/ Boylston	✓	
6 STEVEN SALVO	31 SALVAT CR HOLDING		
7 Pietro Cuccini	15 Autumn Gate	✓	
8 Donna Manley	14 AUTUMN GATE		
9 Melissa Sullivan	10 Autumn Gate		
10 JILL HILL	12 Autumn Gate		
11 Robert Manzano	4 Autumn Gate	✓	
12 Robert Manzano Jr	65 Canal St Apt #212		✓
13 MARESKAW	13 Autumn Gate Circle		✓
14 JILL STONE	60 Autumn Gate		✓
15 See Barnham	9 Autumn Gate		✓
16 Alex / Tanya Chery	3 Autumn Gate		✓
17 Matt Kinnear	7 Autumn Gate		✓
18 TERRY BURKE DOTSON	20 SALVAT	✓	
19 LEONARDO MELO	5 Autumn Gate Circle	✓	
20			✓

SIGN-IN SHEET

Miles Builders
1/22/16

Date/Time

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	TERRY BURKE DOTSON	20 S ALO TER.		
2	Susan Miles	40 Park Hill Ave.	✓	
3	TODD MILES	40 PARK HILL AVE		✓
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SIGN-IN SHEET

Peter Sannicando
8/22/16

Date/Time

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