

MILLBURY PLANNING BOARD
MINUTES
October 17, 2016

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, October 17, 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. United Material Mgt. of Millbury, LLC - Site Plan Review/Stormwater Mgt.,
Public Hearing Continued**

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

The Board received a request for a continuance to November 14, 2016 from Gregory Wirsen of Green Seal Environmental, Inc. representing United Material Management, LLC.

Edd Cote made a motion to continue the public hearing to November 14, 2016 at 7:15 p.m., seconded by Paul Piktelis, voted unanimously.

Chairman Gosselin noted that some information was received today and the Board and engineers were unable to review all documentation.

Minutes

Edd Cote made a motion to approve the minutes of September 26, 2016, seconded by Paul Piktelis, voted unanimously.

Other Business

The Town Planner met with representatives from Unibank to discuss the ability for applicants to pay fees online. Mr. Flynn would like to revisit the current Planning Board fee schedule, comparing other Towns, and will provide his recommendations to the Board at the next meeting.

Chairman Gosselin called for a five minute recess prior to the 7:30 public hearing.

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7:30 p.m. F&D Trucking - Site Plan Review/Stormwater Mgt., Public Hearing Continued

John Grenier of J.M. Grenier Associates, Inc. and Tom Frongillo, owner of 14 McCracken Road were available to provide updates from the previous public hearing. Mr. Grenier responded to comments provided by the Town's engineering firm, Stantec. No comments impacted design work. There was a layout change as one building was shifted to the southeast portion of the property. Mr. Grenier has gone before the Conservation Commission. There are wetlands on the westerly portion of the property. The main building is 350 feet away from the wetlands and the storage garage is over 100 feet away, outside the jurisdiction of the Conservation Commission. If there was a change in the building location, then Mr. Grenier would need to go back to the Commission. There were also minor changes to the drainage calculations.

Chairman Gosselin noted there was a meeting with the power company and the material currently stored on their site will be used as part of the overall construction of this project. The trailers are stored on an adjacent property. Chairman Gosselin would like distances shown on plan from where the easement crosses as well as identify monuments.

Edd Cote read comments provided by the Chief of Police recommending that a clear sight view be maintained at the entrance and exit of the property to ensure safe passage of vehicles.

Town Planner Flynn inquired as to the status of the septic system as shown on the plan. Mr. Grenier noted that soil testing was done in conjunction with the Board of Health. Soils are sand and gravel. Mr. Grenier is finishing the septic design and will be submitted to the Board of Health tomorrow. The new septic will service both buildings on the property.

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

Edd Cote made a motion to waive section 12.44 (f) (1) requirement for a detailed Traffic Impact Assessment. The Traffic Impact Statement is sufficient, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to waive section 12.45 (o) requiring concrete curbing around the perimeter of the parking areas and driveways. The applicant shall use cape-cod berm, seconded by Paul Piktelis, voted unanimously.

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Edd Cote made a motion to approve Site Plan and Stormwater Management for 14 McCracken, Millbury, Massachusetts, plan prepared by J.M. Grenier Associates, Inc., 787 Hartford Turnpike, Shrewsbury, MA, plan dated August 31, 2016 last revised on September 29, 2016, on condition that they dimension the easement on the lot lines, seconded by Paul Piktelis, voted unanimously.

7:45 p.m. Spectrum Health Systems, Inc., Site Plan Review, Public Hearing

Edd Cote read the public hearing notice that was published in the Worcester Telegram & Gazette on October 3, 2016 and the Millbury Sutton Chronicle on October 13, 2016. Edd Cote made a motion to open the public hearing, seconded by Paul Piktelis, voted unanimously.

Chairman Gosselin explained that this project falls under the Dover Amendment. The Planning Board has limited capabilities as a Board due to the Act. Chairman Gosselin requested that Attorney Nagler, who represents the applicant, explain the Dover Amendment.

Edd Cote read emails from Board member, Michael Georges, who was unable to attend the hearing. Mr. Georges' comments included the Board's consideration on waiver requests, that snow storage be identified on the plan and the request for a raised concrete sidewalk parallel to the building along Lincoln Avenue Extension for safety reasons.

Edd Cote read a letter from Chris Richards of 4 Howe Lane identifying areas of concern related to adequate parking, impact to local traffic, building code and safety as well as public safety related to potential increase of crime.

Edd Cote read a letter from the Police Chief with his comments and recommendations based on the review of documentation provided by Spectrum Health Systems, Inc. related to parking, lighting, quality of life issues, traffic and security. The Chief reached out to eleven area police departments where Spectrum Health Systems currently provides services inquiring about parking, loitering, disturbances, drug possession and distribution and any other criminal activities that could be associated with the Centers. With the exception of the City of Worcester, some departments had no calls for service and others reported minimal calls.

Some of the Chief's recommendations include the addition of No Parking signs on Lincoln Avenue Extension from Howe Avenue to the rear of 50 Howe Avenue, lighting to cover the entire parking lot area, removal of large sign and cutting down brush on Lincoln Avenue Extension for safe egress and security cameras be positioned to cover the entire parking lot area and at the entrance and exit to the building.

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Chairman Gosselin invited Attorney Nagler to provide details of the project and the Dover Amendment. Attorney Nagler stated this is a site plan review for a by right use per the Town's zoning code. This is not a special permit or variance which is discretionary and can be denied. The Dover Amendment is a State law under Chapter 40A section 3 if a non-profit with an educational use, 1. The use is allowed by right. 2. There are eight areas that can approach reasonable regulations. Seven are related to new construction and one area, parking, for example, is an item that can be addressed. Attorney Nagler stated that they care about being good neighbors. Zoning requires twenty-seven parking spaces and the plan has designated thirty-eight spaces. The applicant is trying to be responsive to the Board's concerns including areas of parking, traffic, safety and snow.

Robert Michaud of MDM Transportation provided an update of traffic impacts including the Cobblestone project report as requested by the Board. Mr. Michaud looked at existing traffic on Howe Avenue and tenants currently utilizing 50 Howe Avenue which includes industrial tenants with varying employees. Howe Avenue experiences just under 8000 vehicles per day with twenty-five to fifty trips per hour along Lincoln Avenue Extension corridor.

Mr. Michaud used Framingham's documentation as the location is similar to what will happen in Millbury with regard to dispensing and meetings. This is a modest use based on information collected. Fifteen vehicles per hour are expected at the facility including carpooling and vans.

Zoning requires twenty-seven spaces for parking at the Millbury facility. The Framingham site experiences no more than twenty-six vehicles parked at one time and they service 275 clients per day. Mr. Michaud expects no more than twenty-seven vehicle demand including patients and employees.

The site plan provides thirty-eight parking spaces. The applicant and owner have a guarantee of uninhibited access to all thirty-eight spaces. No tenants will be allowed to park in that area. The area will be defined with a chain link fence and another fence along Lincoln Ave. Extension defining where pedestrians and vehicles will utilize.

Mr. Michaud agrees with the Police Chief's finding that there is ample parking. Mr. Michaud believes the thirty-eight spaces provides ample spaces addressing the overflow parking concern of the Chief. Mr. Michaud reviewed the Cobblestone traffic study taking into account the additional use at Spectrum. That study projected traffic growth for five years which was conservative and accounted for a five percent growth projection which will accommodate Spectrum's use. There is no material increase in traffic. The project has a modest traffic use, ample parking and an improvement to the existing site.

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Chairman Gosselin stated the Board has concerns of where existing vehicles will be displaced. Chairman Gosselin also brought up concerns of security at the bus stop.

Edd Cote read a letter from AAA Mass Turnpike addressing some of the Board's requests as follows: location for snow removal, loading dock on Lincoln Ave. Extension will no longer be used, AAA will install two security cameras; one located at the corner of Howe Ave. and Lincoln Ave Ext. and one located at the entrance to the property off Lincoln Ave. Ext., the tenant to the right of Spectrum will not use their overhead door. Chairman Gosselin wants to ensure a security camera covers the side of the building and walkway. A total of five security cameras will be installed.

Chairman Gosselin brought up his safety concerns of the dumpster and its accessibility. Edd Cote read a letter from Kurt Isaakson that Spectrum will commit to having the dumpster locked at all times. Chairman Gosselin inquired if an eight foot fence could be installed instead of a six foot fence. The applicant agreed to install an eight foot fence.

Edd Cote stated that he personally spoke with the Fire Chief and Building Inspector and neither have concerns with the facility. If an issue arises during the buildout, then it will be addressed as needed. Chairman Gosselin reiterated that Planning has no jurisdiction with the inside of the building.

Chairman Gosselin asked the applicant if they have had any issues with parking in the past, and if there was a situation, how would he handle it. Mr. Isaakson has the capability to open up another window during dispensing that would get the clients in and out of the facility quicker.

Paul Piktelis inquired where the existing trailers are going to be stored. Mr. Michaud stated the owner will need to formalize the site. It is possible trailers will be stored off site.

Paul Piktelis asked if overhead doors will be eliminated. Mr. Isaakson stated that some will be eliminated and others will not be used during dispensing hours.

Mr. Michaud conducted manual and video counts of trailers in and out of the site. Approximately 4 or 5 trailers are utilizing the site/processing per hour during peak hours. Donald Rajotte of 36 Lincoln Avenue Extension questioned how tractor trailers can maneuver that site. Normal Hill identified snow storage area and for tractor trailer turning.

Chairman Gosselin opened the floor for public comments.

Scott Despres of 21 Waters Street disclosed that he is a member of the Board of Selectmen, however further stated that nothing is meant to be spoken as a member of the Board but

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rather as a citizen of Millbury. Mr. Despres is speaking on behalf of the neighborhood and speaking to the Dover Amendment if a bona fide goal is to be educationally significant; is this in fact the primary aspect of the facility. Mr. Despres believes the primary activity is methadone treatment and education is secondary. Mr. Despres inquired if the Town's attorney has reviewed this information and location. Town Planner Kevin Flynn stated that he has discussed the project with Town Counsel and this facility does qualify under the Dover Amendment. Mr. Despres questioned if the Methadone clinic meet the goals and objectives of the Town Master Plan.

Kurt Isaakson stated that educational training is a requirement of the program, otherwise clients would be kicked out.

Rufus Guilford of 34 Waters Street does not like the location. He is a work neighbor of the Lincoln Street facility in Worcester and lines of people are out the door, parking is poor which overflows to other businesses and is concerned about crime and drugs. It was asked if Chief Desorcy could have access to security cameras. Mr. Isaakson said yes unless there was a HIPPA issue. Mr. Isaakson was asked what kind of security presence would be on the site. Mr. Isaakson stated security will be on site during dispensing but not during classes.

Jason Abraham of 29 Cedar Avenue is a probation officer with the State but speaking on his own behalf. Mr. Abraham said Vivitrol is a medication that is a shot given once every thirty days that works well rather than methadone that is dispensed daily. He has concerns that people will get dropped off by bus and there will be loitering waiting for bus pick up.

Reid Mathieu of 13 Elm Street has been involved in other communities and has concerns that the facility works well now and then years later it will become a problem. Mr. Mathieu is not against the clinic, but wants to make sure controls are in place; the amount of people they can see, when they can see them, vans can't drop off a load of people, require the van(s) to remain on site to pick them up and require twenty-four hour a day security including security with lighting and cameras.

Chairman Gosselin inquired as to how long the treatment takes. Mr. Isaakson stated start to finish approximately six to eight minutes. Chairman Gosselin asked where clients would wait if they came by bus. Mr. Isaakson stated the clients could wait in an area designated in the building but further noted that the vast majority of clients in other facilities do not come by bus transportation.

Jessica Waters of 62 Miles Street agrees with the need but not the location. She pointed out the applicant requested twenty-three variances. Chairman Gosselin stated the requests according

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to Town Counsel fall under the Dover Act. Town Planner Flynn explained that the applicant requested waivers not variances. Mr. Flynn stated they are requesting to not comply on certain technical aspects that fall within the permitting application.

Ms. Waters provided additional concerns as follows: this was a rush to have the hearing as an ad had to be placed in the Telegram & Gazette to meet the notification process, methadone clinic being placed too close (approximately 800') from Windle Field where children play, increased traffic will use a cut through to Hamilton and Lincoln Avenue, the projected number of clients (150-175) will greatly increase if people come to Millbury from the Worcester locations.

Ruben Colon of 26 Leslie Lane, a police officer in another community believes the facility will bring crime. A school bus stop is across the street. Mr. Colon believes there will be an increase in breaking and enterings, unarmed robberies, drug trafficking and needles. Mr. Colon asked who is responsible with the storage of the media. He would like to have one year of storage of the media from security cameras available. Mr. Colon would like the Board to consider that is mandatory that a bus waits for the clients so that there is no opportunity to loiter. Another consideration is to have a police office on site between the hours of 6am to 10am during dispensing. Mr. Colon is not in favor of this location.

Darin Haig of 92 McCracken Road is sympathetic to those who need services however as a citizen does not like being held hostage to the Dover Amendment. While there is a need, this is a poor location. Recommended a Millbury police officer be on site including one hour before and one hour after dispensing. Other concerns included, increased traffic, too close to Windle Field, safety of children running track in that area.

Paula Wascavage of 9 Auburn Road voiced her concerns representing the children of Millbury. Cross country teams will be running by that facility and its close proximity to Windle field. Ms. Wascavage would like to see more done for the community.

Claudi Mimo of 45 Elmwood Street stated the general purpose of the Planning Board including the promotion of health, safety and general welfare of the community. She is concerned that there is no guarantee that clients will not go to the children or homes.

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Todd Broberg of 48 Miles Street provided his concerns that this is not a good site and there will be an increase of people walking throughout the area.

Sandy Cristo of 2 Cristo Lane inquired about traffic controls and the impact on businesses currently located at Howe Avenue as well as the new housing complex to be constructed. Ms. Cristo specifically noted trailers backing into the bays during the day.

Larry Richards of 6 Lincoln Avenue lives within three hundred feet of the project. He stated that his wife will no longer walk the neighborhood. He has concerns that the landlord has not complied with past requests, there is no guarantee that they will comply with anything. He also noted that parking on Lincoln Avenue is difficult now and if you don't put no parking signs and enforce them, then residents won't be able to get in and out of their own driveways. He inquired if the facility will service felons. It was noted that the services are open to anyone. Mr. Richards would like to see a give and take with the organization in order to control the operations.

Ann White of 12 Lincoln Avenue is concerned about property values. The proposed facility is close to a residential neighborhood and would like to see the facility relocated to meet the needs. Ernie White of 12 Lincoln Avenue does not believe this to be a good fit for Millbury.

Susan Johnson of 56 Miles Street works in a hospital setting and is familiar with individuals coming into the emergency room noting that people are dangerous when they are high. She does not want to see this facility in a neighborhood with children. She is also concerned about theft.

Don Johnson of 56 Miles Street suggested that the Planning Board stand up to the State to make changes to the Law.

Bill Amsden of 22 Hamilton Street provided the following comments: Concerned about traffic specifically between the hours from about 6am-10am when dispensing is occurring as that is all when the school bus time. Additional traffic will run down Hamilton Street to Howe Avenue; Kids must walk to school as bus service is not provided; The location does not make sense due to poor road access, close to residential neighborhood, existing (tenants) occupants will vacate and then Spectrum will take over the entire facility, people at cobblestone will not want to live across the street from a methadone facility and rents will go down enticing others to live there.

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Don Rajotte of 36 Lincoln Ave. Extension suggested that a van should stay on site and pick up clients so there is no loitering. Mr. Rajotte wants to keep kids safe.

Terry Burke Dotson of 20 Salo Terrace inquired if everyone in the program must be in an educational program. Mr. Isaakson stated yes and that classes are held in the afternoon and evenings. Ms. Dotson inquired how they get clients. Mr. Isaakson stated by word of mouth. Ms. Dotson asked if clients get a choice instead of going to jail or going to the facility. Mr. Isaakson stated yes. Ms. Dotson suggested that the Law is badly written and the Town should challenge it.

Edd Cote made a motion to continue the public hearing to November 14, 2016 at 7:45 pm, seconded by Paul Piktelis, voted unanimously.


Adjournment

Paul Piktelis made a motion to adjourn, seconded by Edd Cote, voted unanimously. Meeting adjourned at 10:15 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

October 17, 2016

- 7:15 p.m. United Material Mgt. of Millbury, LLC, 333A Southwest Cutoff
Site Plan Review/Stormwater Mgt. - Public Hearing Cont'd
- 7:30 p.m. F&D Trucking, 14 McCracken Road, Site Plan Review/Stormwater
Mgt. - Public Hearing Cont'd
- 7:45 p.m. Spectrum Health Systems, Inc., 50 Howe Avenue, Site Plan Review
Public Hearing

Other Business:

- Discuss Planning Board Fee Schedule

Old Business:

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

RECEIVED
TOWN CLERK
16 OCT 14 AM 8:45
MILLBURY, MASS

SIGN-IN SHEET

F4 D Tracking

Date/Time 10/17/16 7:30 PM

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Bruno Frongakis	44 Ennis Rd 01537		
2 Thomas Frongakis	44 Ennis Rd 01537		
3 JOHN FRANK	787 WETHERS TPK SHEPHERD		
4 Bob Murphy	214		
5 Jessica Charles	68 Madeline Dr 01537		
6 Deborah Burke	140 W. Antwan Dr 01537		
7 IOWAN ADAMS	67 Davis Rd.		
8 Rosa Gentile	20 Woodland St Millbury		
9 Rachel DeStur	Heslie Lane		
10 Marc MILLER	17 Camp 5 Over		
11 Kevin Assad	9 Beach St.		
12 Pamela Alversy	Prayer Street	IF NEEDED	X
13 Connie Gygler	59 Sutton Rd		
14 Mary Kwasnick	8 Rayburn Dr		
15 Paul DENDYSIC	15 Wood Edge Road	IF needed	X
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Spectrum
Spectrum

SIGN-IN SHEET

Date/Time 10/17/16 7:45pm Spectrum Health Systems Inc.

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Scott Despres	21 Waters St. Millbury		
2 Ross G. Field	34 WATERS ST MILLBURY	maybe	
3 Tom Alford	29 Cedar Ave Millbury	<input checked="" type="checkbox"/>	
4 Reid Mathieu	13 Elm ST	<input checked="" type="checkbox"/>	
5 Tony Cameron	30 NILES ST	<input checked="" type="checkbox"/>	NO
6 MDe Gmeon	30 NILES ST.		
7 Jessica Waters	62 Miles St		
8 Amy Barber Watson	20 Sale Ter	<input checked="" type="checkbox"/>	
9 Dorian Heig	92 McCracken Rd.	<input checked="" type="checkbox"/>	
10 Lisa Ryttko	87 McCracken Rd	<input checked="" type="checkbox"/>	
11 John Russo	8 Lake St		<input checked="" type="checkbox"/>
12 Paula W Doughty	9 Andrew Rd		<input checked="" type="checkbox"/>
13 Lynne Pazydlo	22 Stone Rd	<input checked="" type="checkbox"/>	
14 Charodi Nimo	45 Elmwood St.		<input checked="" type="checkbox"/>
15 Felix Nimo	45 Elmwood St.	<input checked="" type="checkbox"/>	
16 Tina Bowers	78 NILES ST		<input checked="" type="checkbox"/>
17 Lisa Ricci	20 Hamilton St	<input checked="" type="checkbox"/>	
18 Jo Ann Blinn	25 A. Williston St		<input checked="" type="checkbox"/>
19 Nancy Creste	2 N. W. Lane	<input checked="" type="checkbox"/>	
20 Rosemary Nelson	33 Linda Ave		<input checked="" type="checkbox"/>

SIGN-IN SHEET

United Methodist Ch. Mt.

Spectrum

Date/Time

10/19/16 7:15 PM

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Bob Murphy	214 W. Love St. Grafton		<input checked="" type="checkbox"/>
2 Sweet Rylands	Colman's Cove Millbury	<input checked="" type="checkbox"/>	
3 Rhonda Barton	141 Millbury Ave, Millbury		
4 Jonathan Benson	317 Linda Ave Millbury		<input checked="" type="checkbox"/>
5 Dave White	12 Lincoln Ave Millbury	<input checked="" type="checkbox"/>	
6 Ernie White	15 Lincoln Ave Millbury	<input checked="" type="checkbox"/>	
7 Susan Johnson	56 Miller St Millbury	<input checked="" type="checkbox"/>	
8 Donald Johnson	56 Miles St Millbury	<input checked="" type="checkbox"/>	
9 Sherry Richards	6 Lincoln Ave Millbury	<input checked="" type="checkbox"/>	
10 Jennifer KERRY	26 Parkhurst Millbury		<input checked="" type="checkbox"/>
11 Kysa Guan	35 Prospect St. Millbury		<input checked="" type="checkbox"/>
12 Virginia Gromyca	2 Todd Ln Millbury		<input checked="" type="checkbox"/>
13 Michelle Williams	254 Lincoln Ave Ext.		<input checked="" type="checkbox"/>
14 Eric Lapsine	8 Lincoln Ave Millbury		<input checked="" type="checkbox"/>
15 Bill Barbera NORTON	32 Horse Ave Millbury		<input checked="" type="checkbox"/>
16 Bill Amaden	22 Hamilton St. Millbury		<input checked="" type="checkbox"/>
17 Dan RASTOTTE	36 Lincoln Ave. Ext.	<input checked="" type="checkbox"/>	
18 Norman Hill	52 Millbury Street, Grafton MA	<input checked="" type="checkbox"/>	
19 Kurt Isaacson	8 DARTMOUTH CRT & GRAFTON	<input checked="" type="checkbox"/>	
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SIGN-IN SHEET

Date/Time Spectrum HEALTH SYSTEMS INC
10/17/16 7:45 PM

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Bob Jzworski	15 Woodridge Road		<input checked="" type="checkbox"/>
2 Kim White-Coulette	36 Caraisel Dr.		<input checked="" type="checkbox"/>
3 Edward Cornell	5 Linsden		<input checked="" type="checkbox"/>
4 Phil Carver	5 Atwood	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5 Kristi Stowell	17 Charlesway Ln		<input checked="" type="checkbox"/>
6 Francis B. Kicy	58 S Oxford Rd		<input checked="" type="checkbox"/>
7 Amy George	2 Crown Brook Way		<input checked="" type="checkbox"/>
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SIGN-IN SHEET

Date/Time Spectrum
10/17/16

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