

MILLBURY PLANNING BOARD
MINUTES
November 13, 2017

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, November 13, 2017 at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Richard Gosselin, Terry Burke Dotson, Edd Cote, Paul Piktelis, Michael Georges

Absent:

7:15 p.m. Permit Public Hearing 6 Rollie Shepard Drive Accessory Dwelling Special

Edd Cote read the public hearing notice for an application for accessory dwelling special permit for 6 Rollie Shepard Dr. Millbury, MA.

Shellena Connolly addressed the Board requesting a special permit for an accessory dwelling containing 800 sq. ft. of heated living space above an existing garage. A small deck and set of stairs on the side of the existing building will be added. She stated the need for the accessory dwelling is for her 24 year old son with special needs. She advised he is unable to live alone due to medical and financial reasons. The Accessory dwelling would allow him to have his own space and live independently.

Many neighbors came to the meeting with concerns of safety for their children. They are concerned with the amount of cars that come and go from the property, the cars driving around the neighborhood and a negative post made on facebook.

Karen Kazmierczak of 10 Bill Graham Lane asked Ms. Connolly how many people live at the dwelling. She has safety concerns for her children. She feels the amount of cars that come and go from the property seems excessive. She also asked Ms. Connolly if she actually lived at the property as she has never seen her before.

Lynn Winston of 11 Rollie Shepard Drive asked why there are two mail boxes in front of the house if it's a single family dwelling. She wondered if this is a multifamily unit. She also fears for the safety of her children with the amount of cars driving through the neighborhood.

Pamela Manning of 19 Rollie Shepard Drive stated she has issues with the safety of her children from the amount of cars driving through the neighborhood coming from that property.

Sue Teixeira of 9 Rollie Shepard Drive asked the Board if the accessory dwelling is approved are there zoning regulations that would prohibit the property from being rented to someone other than family, would it be possible to be rented as an Airbnb? Ms. Connors advised that the

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Zoning By Laws state it could be rented to someone other than family and there are no regulations in place from the government regarding Airbnb rentals.

Ms. Connolly advised that she does live at the property. She explained she has a large family. The high volume of cars coming and going from the property may be a result of her 4 grown children, 6 brothers and professionals rendering services to her son. She explained that she had put a mailbox up for a family member that was living with her for a while.

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

Edd Cote made a motion to grant a waiver from the Town of Millbury's Zoning By Laws for a Locus Plan at a scale of 1"= 100', Locus plan is not to scale, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to grant a waiver for Building Elevation Plan. The applicant submitted photos of the existing structure. The only proposed exterior change is the installation of a proposed doorway, deck and stairway as depicted on the floor plan, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to approve the special permit for construction of the accessory dwelling unit on a parcel of land located at 6 Rollie Shepard Dr. within a residential 3 zoning district. Plans provided by Jarvis Land Survey, Inc. 29 Grafton Circle, Shrewsbury, MA dated May 13, 2017, seconded by Paul Piktelis, voted unanimously.

7:45 p.m. Thomas Stratford, Mid State Properties, LLC, 239 Riverlin Street - Site Plan Review and Storm water Management Permit Public Hearing –Continued

Neither nor applicant or a representative of the applicant appeared for the public hearing.

Edd Cote made a motion to continue the public hearing to Dec 11, 2017 at 7:15 p.m., seconded by Paul Piktelis, voted unanimously.

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8:15 p.m. Greenleaf Terrace Definitive Subdivision Public Hearing – Continued

The applicant's representative could not be present at the meeting. They have asked for a continuance of the public hearing until November 27, 2017.

Edd Cote made a motion to continue the meeting to November 27 at 7:15 p.m., seconded by Paul Piktelis, voted unanimously.

8:30 p.m. Stratford Village – Performance Guarantee

At the last Board meeting Michael Staiti of Stratford Village agreed to give cash in exchange for release of units. Ms. Connors held the release. Mr. Staiti is now presenting a tripartite agreement for Planning Board review and acceptance. Since the last meeting some additional work has been done on site so the amount of money required would be less than what was required two weeks ago. Ms. Connors had the tripartite agreement reviewed by Town Counsel who approved it as to form. The agreement has been signed and notarized by the Applicant and bank. Mr. Staiti is requesting acceptance from the Planning Board of the tripartite agreement in the amount of \$250,000.00. A letter of credit and the tripartite agreement will be held for two weeks. At the next meeting, Mr. Staiti will seek a release of the letter of credit.

Edd Cote made a motion to accept the Tripartite agreement drawn up on 11/13/2017 between Stratford Village, LLC., Commerce Bank & Trust Co. and the Town of Millbury in the amount of \$250,000.00, seconded by Paul Piktelis, voted unanimously.

Other Business:

Ms. Connors briefly updated the Board regarding a letter she submitted to the Board of Selectmen regarding acceptance of private road ways. The letter needed to be submitted to the Selectmen by October 30, 2017 in order to be addressed at the May 2018 Town Meeting. The roadways noted are Rollie Shepard Drive, Bill Graham Lane and Jessica J Drive.

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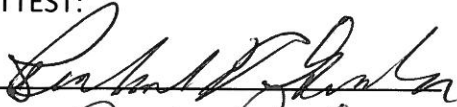

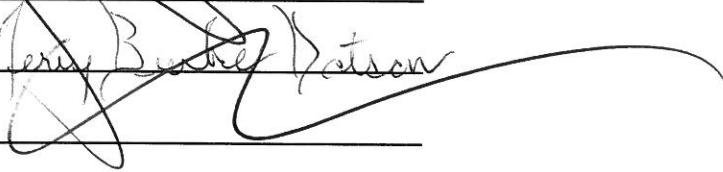
Adjournment

Paul Piktelis made a motion to adjourn, seconded by Edd Cote, voted unanimously. Meeting adjourned at 8:17 p.m.

Respectfully submitted,

Pamela Bott

ATTEST:



TOWN OF MILLBURY

DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508 / 865-4754 • FAX. 508 / 865-0857

PLANNING BOARD AGENDA

November 13, 2017

- 7:15 p.m. 6 Rollie Shepard Drive Accessory Dwelling Special Permit Public Hearing
- 7:45 p.m. Thomas Stratford, Mid State Properties, LLC, 239 Riverlin Street - Site Plan Review and Storm water Management Permit Public Hearing – Continued
- 8:15 p.m. Greenleaf Terrace Definitive Subdivision Public Hearing – Continued
- 8:30 p.m. Stratford Village – Performance Guarantee

New Business:

Other Business:

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

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TOWN CLERK
17 NOV -8 AM 11:30
MILLBURY MASS

SIGN-IN SHEET

Public Hearing to Rollie Shepard Dr. - Public Hearing

Date/Time 11-13-17 @ 7:15 pm

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Shellera Connolly	6 Rollie Shepard Dr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Karen Kozmehyde	10 Bill Graham Dr	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Lynn Weston	11 Rollie Shepard Dr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 Susan Terveya	2 Rollie Shepard Dr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5 Cathy Carver	5 Montgomery Dr	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6 Mercedes Ayotte	20 Rollie Shepard Dr	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7 Pamela Manning	19 Rollie Shepard Dr	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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SIGN-IN SHEET

Public Hearing Thomas Stafford - 239 Riverln St - Continued
Date/Time 11-13-17 @ 7:45 pm.

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SIGN-IN SHEET

Public Hearing Greenleaf Subdivision - Contour

Date/Time 11-13-17 @ 8:15 pm

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