

MILLBURY PLANNING BOARD  
MINUTES  
July 24, 2017

---

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, July 24, 2017 at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

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

Absent: Terry Burke Dotson

**7:15 p.m. Greenleaf Terrace Definitive Subdivision Public Hearing**

Edd Cote read the public hearing notice for a conventional subdivision entitled Greenleaf Terrace. The applicant seeks to create four new building lots.

John Grenier from J.M. Grenier Associates, project engineer was present on behalf of the applicant and provided an overview of the project including construction of a cul de sac with four new house lots.

The property was purchased from the Town at public auction. The property will be cleaned up and all debris removed as part of this project. Mr. Grenier is proposing some waivers including providing existing and proposed topography at two-foot intervals, a waiver from the showing trees over twelve inch diameter as there are no large trees in the area, a waiver to allow a country drainage system and a waiver for sidewalks as there are no existing sidewalks on the section of McCracken Road.

Testing will take place for septic systems to see if there's ledge. Mr. Grenier will be meeting with the Fire Chief to discuss a hydrant and cistern as there is not public water or sewer being proposed.

If the Town wishes, the drainage system will be part of a homeowners' association with regard to a long term operation and maintenance agreement. Lots would not be released until the document was recorded at the Registry of Deeds.

It was suggested that trees be added to the lower portion of McCracken Road and the cul de sac. Mr. Grenier will plant trees that the Board recommends.

Chairman Gosselin noted that the project consists of two lots that will ultimately become four lots, however he wants a plan on record showing two lots becoming one parcel before that parcel can be re-subdivided into four lots. Mr. Gosselin does not want to cloud the deeds.

Chairman Gosselin would like to see the drill holes on the plan. Mr. Grenier has forwarded that information to the surveyor. Discussion followed with regard to the degree of sloping and

RECEIVED  
TOWN CLERK  
8/30/17  
17 AUG 21 AM 11:20  
MILLBURY, MASS  
10:39 AM  
AG

MILLBURY PLANNING BOARD  
MINUTES  
July 24, 2017

---

leveling off area coming into a roadway. Town Planner, Laurie Connors stated there should be a four percent slope provided for not less than one hundred feet. Mr. Grenier indicated that criteria has been met on the plan.

Chairman Gosselin indicated that one foot contours are the specification and would like to see the plan updated to reflect the same. Mr. Grenier will update that information.

Edd Cote did not like the idea of no curbing at all. Projects that start out at homeowners' associations many time come before the Town asking to public acceptance. The roadway could potentially deteriorate especially with an eight percent grade. Mr. Cote is concerned that drainage will also flow down to some of the buildable lots. Edd Cote wants to see the streets designed to public roadway standards.

Laurie Connors initiated discussion and provided comments as to the advantages of a landscaped island in the middle of the cul de sac. An island would not impede a fire truck access around the cul de sac. Rain gardens could be created in the interior which would limit stormwater runoff. Mr. Grenier is happy to work with the town on that issue.

Laurie Connors would recommend that maintenance of the rain garden would fall under the homeowners' association. Ms. Connors provided some examples of what that could look like. Paul Piktelis likes the idea and aesthetically it would look better. Mr. Grenier will work with the Town. Michael Georges wanted to make sure that Tower 1 would have proper access. Chairman Gosselin suggested instead of curbing, maybe install cobblestone on the edge.

Bob Prytko, 87 McCracken Road indicated that the plan shows the existing house being tied into McCracken Road. Mr. Grenier indicated that the house would be part of the homeowners' association. Mr. Prytko inquired if Tennessee Gas was notified of the hearing as the gas line is close to the property. Ms. Connors stated that MA DOT was notified and Tennessee Gas is typically aware of work going on in the area. Mr. Prytko would like a letter sent so they are aware of the project. Ms. Connors stated that a letter could be sent.

Mr. Prytko stated the Board needs to take into account if a car is parked in the cul de sac that the Fire apparatus can make it around the cul de sac. Laurie Connors stated the Fire Chief is aware. Edd Cote would like the Fire Chief to weigh in as to if there is a negative impact if a car is parked in the cul de sac along with the installation of the rain garden. *S/B CAR*

Bob Prytko provided history about environmental contamination issues with the property. Lengthy discussion ensued with regard to any potential contamination of wells in the area.

MILLBURY PLANNING BOARD  
MINUTES  
July 24, 2017

---

Mr. Prytko inquired if the Board could put conditions if the developer runs into this situation and what recourse the homeowners' have. He suggested well testing before and after the project. Mr. Prytko would like the Board to conduct a site visit to review the property. Wants to go on record that the Town will never own the roadway ever.

Darren Haig, 92 McCracken Road indicated that he was not notified of the public hearing and he is an abutter. Mr. Haig provided history of clean- up of the property that included information for NGI (Northeast Geoscience Inc.) Mr. Haig invited the Board to visit the site are there is a lot of scrap metal, hot water tanks, etc. still on the property.

Mr. Haig also stated his concerns with drainage in the area of McCracken Road as well as concerns about contamination of drinking water wells. Mr. Haig provided some details about well tests that were taken in 2003 and 2004.

Ron White of 88 McCracken Road stated that his well was contaminated in 2004 and notified the Town. Mr. Haig also inquired if there was digging or blasting required, how that might impact surrounding properties. Paul Piktelis inquired if wells had been tested since 2004 or 2005. Mohammed Haghdoust, owner of 82 McCracken road, stated he had his well tested when he purchased the property. Mr. Haig's concerns is that this is not a clean property and that there could be issues with drinking water.

Mr. Grenier indicated that his client does not want to deal with a dirty property and sell house lots if there are any potential issues running risk of contaminating neighbors' wells. Mr. Grenier will be investigating further with regard to soils, etc.

Mat Ashmankas, 5 Millbury Terrace, a member of conservation toured the property with the owner's permission. There are buried gas tanks on the property and car parts throughout the property. Mr. Ashmankas is concerned that contamination could be flowing down to the brook.

Edd Cote made a motion to continue the public hearing to August 21, 2017 at 7:15 p.m., seconded by Paul Piktelis, voted unanimously.

The Board took a five minute recess (8:20 p.m.)

**7:45 p.m. 442 Greenwood Street – Minor Modification to Solar Farm Site Plan Review**

Miguel Linera came before the Board to request a minor modification. Mr. Linera indicated that they are running into ledge, therefore some changes are needed to move forward with the

MILLBURY PLANNING BOARD  
MINUTES  
July 24, 2017

---

project. Mr. Linera communicated with the Fire Chief. The roadway has changed; instead of going around the solar farm, it now goes into the middle of the cul de sac. Edd Cote stated that there is a letter from the Fire Chief that this is acceptable.

The second change is the original plan proposed three utility poles and the plan is to install six utility poles. The poles will be coming from the street that belong to the utility company and three other poles will be located on the site.

Laurie Connors noted that there are some stormwater conditions that have not been complied with. The engineer, Mark Allen will address the outstanding items with Ms. Connors.

Edd Cote made a motion to approve the plan last revised July 12, 2017 for the Millbury Community Solar Farm at 442 Greenwood Street, seconded by Paul Piktelis, voted unanimously.

**8:00 p.m. 42 Johnson Street – Accessory Dwelling Pre-application Discussion**

Jaime Tremblay came before the Board to discuss a proposed accessory dwelling for her and her two children. Ms. Tremblay's parents own property at 42 Johnson Street. Ms. Tremblay provided a draft plan of the proposed one thousand square foot accessory dwelling seeking comments and direction from the Board.

Edd Cote stated that the proposal is two hundred square feet over the bylaw requirement. Ms. Tremblay needs two bedrooms for her children and indicated that the neighbors are in favor of this. Ms. Tremblay would also be helping with her parents with regard to health issues, etc.

General discussion took place on lot setbacks, utilities and the pre-existing non-conforming lot. Ms. Connors noted that the structure is fully compliant with the accessory dwelling status. Ms. Tremblay was coming before the Board for guidance due to the proposed size.

Michael Georges and Paul Piktelis did not have any issue with the square footage. Rich Gosselin indicated that the land needs to be surveyed certifying the distance from the new work to the property lines. Laurie Connors also noted that a site plan need to be completed. Edd Cote noted that while the Board is not voting on the project, Ms. Tremblay could move forward with some confidence.



MILLBURY PLANNING BOARD  
MINUTES  
July 24, 2017

---

**Other Business**

Laurie Connors proved an update with regard to the Valente Drive Solar Farm. She received an email from Jacob Carney. The Board previously agreed to a cash deposit of \$5,000 and a bond in the amount of \$13,338. Because the bond was already issued in the amount of \$18,338, Mr. Carney would keep that in place, however that next year the bond will be renewed in the amount of \$13,338 if the Board agrees.

Edd Cote made a motion to accept the revised terms per email of July 7, 2017 from Jacob Carney to Laurie Connors, seconded by Michael Georges, voted unanimously. Edd Cote will sign on behalf of the Board

Laurie Connors informed the Board that a sequin plan will be filed in the near future.

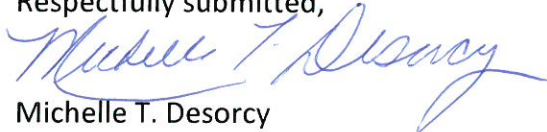
**Minutes**

Edd Cote made a motion to accept the minutes of June 12, 2017 with a minor change corrected to Chairman Richard Gosselin presided, seconded by Paul Piktelis, voted unanimously.

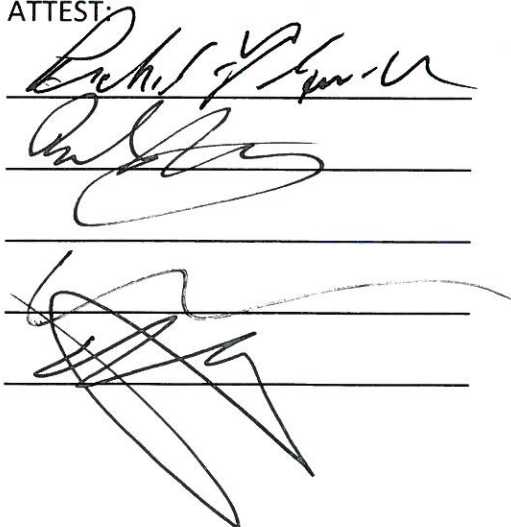
**Adjournment**

Paul Piktelis made a motion to adjourn, seconded by Michael Georges voted unanimously. Meeting adjourned at 8:55 p.m.

Respectfully submitted,

  
Michelle T. Desorcy

ATTEST:



RECEIVED  
TOWN CLERK  
17 AUG 22 AM 10:40  
MILLBURY, MASS  
17 AUG 21 AM 11:20

MILLBURY PLANNING BOARD  
EXECUTIVE SESSION MINUTES  
February 13, 2017

---

EXECUTIVE SESSION

Present: Rich Gosselin, Edd Cote, David Haak, Paul Piktelis, Michael Georges, Interim Planning Director, Christopher Ryan

Upon unanimous roll call vote the Planning Board entered into executive session at 8:30 p.m. to discuss strategy with respect to litigation from Terry Burke Dotson v. Spectrum Health Systems, Inc. and the Millbury Planning Board.





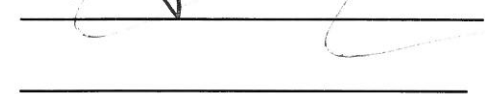
After general discussion it was agreed that the Interim Planning Director will discuss with the Town Manager whether a written response from the Town will be made to the Court on this matter on behalf of the Planning Board members.

Edd Cote made a motion to leave executive session and return to regular session for the sole purposed of adjournment, seconded by Paul Piktelis voted unanimously. A roll call vote was taken. All members voted aye. Meeting returned to regular session at 9:05 p.m.

Respectfully submitted,

  
Michelle T. Desorcy

ATTEST:

RECEIVED  
TOWN CLERK  
17 AUG 21 AM 11:20  
MILLBURY, MASS  
17 AUG 22 AM 10:40

MILLBURY PLANNING BOARD  
MINUTES  
EXECUTIVE SESSION  
November 14, 2016

---

EXECUTIVE SESSION

Present: Richard Gosselin, Edd Cote, David Haak, Paul Piktelis, Michael Georges

Location of Meeting: Millbury Public Local History Room

Upon unanimous roll call vote the Planning Board entered into executive session at 6:30 to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the Board.

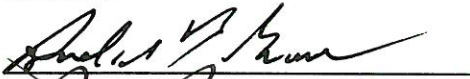




Town Counsel, Brian Falk, reviewed and discussed a letter that he received from Counsel representing Spectrum Health Systems, Inc. pertaining to inappropriate statements made at a previous session of the public hearing. The correspondence indicated that in the event of unreasonable delay or denial, information will be utilized as part of litigation.

Edd Cote made a motion to return to regular session, seconded by Paul Piktelis voted unanimously. A roll call vote was taken. All members voted aye. Meeting returned to regular session at 7:15 p.m.

Respectfully submitted,

  
Michelle T. Desorcy

ATTEST:

RECEIVED  
TOWN CLERK  
17 AUG 23 AM 10:40  
17 AUG 21 AM 11:20  
MILLBURY, MASS.



# 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

August 21, 2017

7:15 p.m. Greenleaf Terrace Definitive Subdivision Public Hearing - Continued

New Business:

Other Business:

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

RECEIVED  
TOWN CLERK  
17 AUG 21 10:40  
MILLBURY, MASS.



SIGN-IN SHEET

Public Hearing

Greenleaf Terrace

Date/Time

7/21/17 @ 9:15

I WISH TO SPEAK

NAME	ADDRESS	YES	NO
1 John GRENIER, J.M. GRENIER ASSOC	787 HARTFORD TPK, SHREWSBURY		
2 Ben Gold	CM6 Saranac St, 67 Hill Rd Shirley	<input checked="" type="checkbox"/>	
3 Davin Heug	92 Mc Crahan Rd, W.ing.	<input checked="" type="checkbox"/>	
4 Robert Piztko	87 Mc Crahan Rd	<input checked="" type="checkbox"/>	
5 Richard [unclear]	9 Mc Crahan Rd.	<input checked="" type="checkbox"/>	
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			