

MILLBURY PLANNING BOARD  
MINUTES  
September 26, 2016

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The regularly scheduled meeting of the Millbury Planning Board was held on Monday, September 26, 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, Michael Georges

Absent:

**7:15 p.m. United Material Mgt. of Millbury, LLC - Site Plan Review/Stormwater Mgt.  
Public Hearing**

Edd Cote read the public hearing notice. Edd Cote motioned to open the public hearing, seconded by Paul Piktelis, voted unanimously.

Scott Lemay, principal of United Material Management provided general overview of the proposed use which includes receipt of construction and demolition materials that is sorted and processed for recycling. They have filed with MEPA, Secretary of Environmental Affairs, site suitability with MA DEP, met with Millbury Board of Health and other Town departments.

Whitney Hall of Greenseal Environmental provided an overview of the site. A Notice of Intent was filed with the Millbury Conservation Commission. Chairman Gosselin would like the bounds/iron pins added to the plan. Bob Murphy of Murphy Associates explained that the pins were on a previously approved site plan at this location, however the bounds will be added to the plan for this project. Discussion followed on the wall to the back of the building. If over four feet, a structural engineer is needed. Chairman Gosselin requested a concrete buffer between the building and the parking area such as a curbing/small sidewalk so that cars cannot drive into the building as well as pedestrian safety.

Mr. Hall provided details of the landscaping plan, utility plan including the installation of a new water line as well as the stormwater management plan. There will be no water processed in the facility. Doors have trench drains to an underground tight tank (5000 gals.) then trucked out. Chairman Gosselin requested an operation and maintenance plan as part of the applications.

Mr. Hall is in receipt of comments from the Town engineer and will need some time to review and respond. Some items reviewed as follows: Mr. Hall doesn't see negative impacts to traffic, Engineer is asking about wetland delineation; currently filing an application with the Conservation Commission. Mr. Hall noted that they are not planning on making the building handicapped accessible. Chairman Gosselin would like to see one handicapped parking space

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added to the plan. The Town engineer questioned the calculations used for the infiltration rates. Mr. Hall stated information was based on site exploration and believes they have the correct coefficients. Chairman Gosselin suggested speaking with the Town's engineer to work it out together. Additional landscaping around the detention basin was requested.

Edd Cote wants to ensure there is adequate water for fire protection. Mr. Hall will review hydraulic calculations to ensure they meet fire needs.

Edd Cote made a motion to continue the public hearing to October 17, 2016 at 7:15 p.m. , seconded by Paul Piktelis, voted unanimously.

**7:45 p.m. F&D Trucking - Site Plan Review/Stormwater Mgt., Public Hearing**

Edd Cote read the public hearing notice. John Grenier of J.M. Grenier Associates was present with Tom Frongillo of F&D Trucking. Mr. Grenier stated this application is for the redevelopment of the existing site. Mr. Grenier provided an overview of the existing functioning yard. Jack Moore Associates specialty tools is currently located in Worcester and is looking to construct a 7300 square foot building with a small retail portion and some garage space. Construction of an additional 5000 square foot garage building is proposed for F&D Trucking's use.

Chairman Gosselin noted that the Cape Cod berm should meet the MA DOT specification. Mr. Grenier described the proposed plan including the landscaped island, customer parking and noted that all runoff will be contained within the site. They are proposing an overflow to the system that will empty to the street system. Mr. Grenier has received and reviewed comments from Stantec.

Edd Cote stated that the Board has not yet had a chance to review Stantec's comments. Mr. Grenier mentioned that the wetlands adjacent to the property are outside of the one hundred foot buffer. Mr. Grenier will be on site on September 28, 2016 with the Board of Health to review soils.

The applicant may seek a waiver for a traffic study. Mr. Grenier does not expect any issues but will confirm site distances. Chairman Gosselin stated that the corners of the lot need to be pinned and wants to see references. Mr. Grenier will update the plan.

Edd Cote read a letter into record from Carol Childress, real estate representative from National Grid. The letter was addressed to Mr. Frongillo stating that "processed materials" as well as semi-truck trailers are being stored under National Grid's transmission lines within the

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easement area. Ms. Childress requests that Mr. Frongillo cease stockpiling materials and permanently remove all items stored on the easement. Mr. Frongillo inquired if she had the right yard as he is not aware of items within the easement. Mr. Grenier will reach out to Ms. Childress and resolve the issue.

Mr. Frongillo is concerned about timeline to get through the planning process in order to move employees of Jack Moore Associates to this new site. Chairman Gosselin does not see any red flags at this time.

Edd Cote read comments provided to the Board from the Building Inspector as follows: handicapped accessibility required, retaining walls in excess of three feet are required to have fencing to prevent falls, garage door accesses will require sand/oil/gas separators per the MA Plumbing Code, septic system has not been drawn/proposed, proposed building site is in a flood zone. There are mechanisms available through FEMA for alternative compliance of the Floodplain regulations, however have not been illustrated in the proposal.

Edd Cote made a motion to continue the public hearing to October 17, 2016 at 7:30 p.m. seconded by Paul Piktelis, voted unanimously.

Chairman Gosselin requested a five minute recess at 8:30 p.m.

**8:35 p.m. Jessica J. Drive Extension, Performance Guarantee/Release of Lot**

Edd Cote read a letter from the DPW Director, Robert McNeil stating that as part of the Board's Decision of Jessica J. Drive Extension, prior to issuing lot releases, certain roadway improvements were to be completed. Mr. McNeil has had conversation with the Developer and recommends waiting to pave the intersection improvements until construction is complete and asks that the Board hold this section of the decision in abeyance in order to protect the proposed improvements.

Robert Vigneau of TPR Homes met with the Town Planner and DPW Director on site and discussed the scope of work to be done as well as timing of said work. Mr. Vigneau would like the Board's concurrence with the DPW Director's recommendation. Mr. Vigneau stated the project needs to be completed by 2020 and paving will be completed per the approved conditions.

The Performance Guarantee has been reviewed by Town Counsel and the Developer's Attorney all agree as written.

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Edd Cote made a motion to accept the recommendation of the DPW Director regarding the paving memo dated September 19, 2016, seconded by Paul Piktelis, voted unanimously.

Paul Piktelis asked the Developer if large holes could be patched as needed for passing traffic. Mr. Vigneau agreed.

Edd Cote motion to release lots 1-6, 19 and 20 as part of Phase I. In exchange for releasing lots the Board will be accepting a performance guarantee in the amount of \$751,125, seconded by Paul Piktelis, voted unanimously.

**8:40 p.m. Stratford Village – Release of Lots**

Stratford Village is requesting release of seven lots. Kevin Flynn noted that Stantec needs to update the performance guarantee amount. If more work has been completed, the amount would be reduced. Town Counsel is providing updated information as well.

Jeff Taylor of Keystone Development stated that conduit has been brought in and some gas has also been installed.

For lots 49, 48, 47, 7, 8, 9 and 10, the amount of the performance guarantee will be at least \$277, 917, subject to the Town Attorney's review and updated surety numbers provided by Stantec.

Edd Cote made a motion to release the lots for houses 4, 6, 8, 13, 15, 17 and 19 Stratford Village Drive, seconded by Paul Piktelis, voted unanimously.

**8:45 p.m. Peter Sannicandro, 55 Sycamore Street - Request for Waivers from Site Plan Review Application**

The Board received a request for waivers from Peter Sannicandro regarding 55 Sycamore Street. Chairman Gosselin would like to see a locus plan, showing fencing and zoning offsets. Town Planner, Kevin Flynn informed the members that he went through the Planning Board checklist and provided suggested items that he thought would apply for Mr. Sannicandro's application.

Edd Cote asked the Chairman what the Board would want Mr. Sannicandro to submit under item 7b of the checklist, environmental impact assessment identifying that noise may fall under that category. Discussion followed related to dog barking and it was suggested that maybe a Kennel Club could provide some information or some authority related to the Great Pyrenees breed.



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As part of the application and 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.

Mr. Sannicandro is a member of the Great Pyrenees Club of American and can provide some documentation to the Board.

The Board did not have any objections based on waiver discussions.

**9:00 p.m.      Spectrum –Request for Waivers**

Attorney Samuel Nagler along with Kurt Isaacson, Robert Michaud and Normal Hill were present to provide an overview of the Spectrum Health Systems facility and discuss the request for waivers.

The location of the facility is Building M at 50 Howe Avenue. Spectrum operates at eleven other sites and is licensed by the MA Department of Public Health. Clients are required to participate in an education plan as part of the overall treatment program.

Attorney Nagler indicated that the project is subject to the Dover Amendment and this is not a new building or change in footprint but rather a tenant fit out. MDM Transportation Consultants, Inc. have evaluated traffic and parking characteristics. There are adequate parking spaces to accommodate the use.

Paul Piktelis inquired as to how many people will visit the facility daily and if there is a cap to the number of participants in the program. Approximately 150-175 people are expected to utilize the facility seven days per week. There is no cap on participants, but is based on the amount of space the facility can handle.

Edd Cote read the comments from the Building Inspector/Zoning Enforcement Officer as follows: handicapped access is required, parking demand schedules are required and lighting should be assessed. Mr. Frederico commented on the request for an expedited decision and noted that the welfare of the Town is a larger responsibility and believes thirty days in an appropriate timeline for deliberations.

Chairman Gosselin stated the Board understands that they must live with the Dover Amendment, but their responsibility is also to protect the health, safety and welfare of residents.

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Kurt, Isaakson, CEO of Spectrum Health Services stated there are individual programs for clients. Chairman Gosselin inquired if there would be a needle exchange program. Mr. Isaakson said no. Mr. Gosselin inquired about dumpster use and medical waste. Mr. Isaakson explained that medical waste cannot go in the dumpster as it has special handling. They are licensed by the Drug Enforcement Agency including various types of alarms and security. Hours of operations include approximately 6am to 10am for dispensing with groups meeting throughout the day and evening, ending at 6pm.

Discussion on lighting ensued including that a marked walkway will come out to Lincoln Avenue Extension. The owner of the property is also clearing a walkway down Lincoln Ave. Extension.

Chairman Gosselin inquired what percentage will be coming to the facility by bus. Robert Michaud of MDM Transportation stated the bus route goes by the facility but would anticipate that would not be the norm but rather the exception referring to Framingham as an example where 275 people use the facility but very little walking or public bus services are utilized. Chairman Gosselin requested two security cameras to monitor the sidewalk and bus stop areas.

Discussion followed on a dock area. Planner Flynn would like something provided to the Board in writing stating the applicant is willing to close a dock area and to identify the walking area. Kevin Flynn asked where employees that are currently located at the site park now, and requested that a plan be emailed to the office.

Edd Cote stated there are trailers on site now and would like documentation showing that the trailers will not be taking up parking spaces for this facility. The Board would like the plan to demonstrate where existing vehicles are going to be displaced.

Other items discussed: Two security guards will be on site, one inside and one outside. Paul Piktelis asked if clients are given specific times for services. Counseling sessions are specific schedules, but the dispensing is not by appointment.

Attorney Nagler recapped some items requested including a correction of a typo that noted Lincoln Avenue instead of Lincoln Avenue Extension; a request identifying reserved for parking for Spectrum only; send the Board any agreements with the owner or tenants regarding parking; and the owner of the facility should show how parking is going to shift.

The Fire Chief does not see any issues meeting fire needs.

Edd Cote restated the Board would like more information on parking spaces. He also believes that snow storage is part of the parking issue and should be accounted for.

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Norman Hill of Land Planning provided a general overview of parking and the walkway area. He also indicated that there are no proposed changes to water flow or grading.

Jessica Waters of 62 Miles Street is concerned about traffic especially due to the seventy-two apartment units going to be constructed across the street from the Howe Avenue facility. Robert Michaud, of MDM Transportation stated the focus of their traffic study was not that area. Edd Cote spent some time watching traffic and based on his observations, thought the traffic study provided was accurate.

Michael Georges brought up concerns of the dark roadway at Howe Avenue and the v-intersection and believes it warrants further study. Mr. Michaud offered to review the traffic study that was conducted for the Cobblestone project and provide commentary.

Lawrence Richards of 6 Lincoln Avenue raised concerns about property values, security and that residents would like to see clients moving rather than hanging around the area.

The applicants will provide additional information based on discussions with the Board.

#### **Minutes**

Edd Cote made a motion to approve the minutes of August 22, 2016, seconded by Paul Piktelis, voted unanimously.

#### **Other Business**

Town Planner provided information to the Board on Citizen Planner Training Collaborative Fall 2016 Workshops. Mr. Flynn encourages members to attend these valuable sessions on fundamentals of planning and zoning matters as well as timely matter of importance to the Board.

Mr. Flynn informed the Board of the new public record law changes taking effect January 1, 2017. Additional records will be available online. Board members will be provided with a Town email address for business purposes. Board members will not use personal emails.

Mr. Flynn also noted if applications do not come into the office complete, the application will not be accepted. As part of the new public records law, we will also be requiring electronic submissions.

The Town has received a proposal for engineering services from Stantec for Casa Verde Phase III in the amount of \$15,531. Most of the work will be conducted by junior engineers. Town Planner Flynn checks the project conditions to ensure all are being met.



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Edd Cote made motion to accept the proposal as written, seconded by Paul Pikelis, voted unanimously.

Edd Cote noted that a project (Cobblestone) was supposed to purchase Opticom traffic signal controllers. Mr. Flynn thought the condition may be tied to the building permit. Edd Cote wants to ensure that items don't fall through the cracks.



**Adjournment**

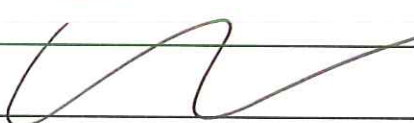
Paul Pikelis made a motion to adjourn, seconded by Edd Cote, voted unanimously. Meeting adjourned at 10:20 p.m.

Respectfully submitted,

Michelle T. Desorcy

ATTEST:

  
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# 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

September 26, 2016

- 7:15 p.m. United Material Mgt. of Millbury, LLC, 333A Southwest Cutoff  
Site Plan Review/Stormwater Mgt. - Public Hearing
- 7:45 p.m. F&D Trucking, 14 McCracken Road, Site Plan Review/Stormwater  
Mgt. - Public Hearing
- 8:15 p.m. Jessica J. Extension - Performance Guarantee/Release of Lots
- 8:25 p.m. Stratford Village - Release of Lots
- 8:30 p.m. Peter Sannicandro, 55 Sycamore Street - Request for Waivers
- 8:35 p.m. Spectrum Health Systems, Inc., 50 Howe Avenue - Request for Waivers

Other Business:

Old Business:

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

RECEIVED  
TOWN CLERK  
16 SEP 23 AM 9:24  
MILLBURY, MASS

SIGN-IN SHEET

United National Mtg.

Date/Time 7:15 pm 9/26/16

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 <del>Scott Jones</del>	4 Sandy Leards Webster MA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Anthony Hall	Green Seal 14 Stk Rd Sycamore Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Mitch Delonzo	80 Bantwood Rd Worcester MA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 Bob Murphy	214 Wove St 1 Grofton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5 RICH HAMILTON	FIRE CHIEF	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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SIGN-IN SHEET

Date/Time F+D Trucking  
7:45 pm April 16

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1	RICH HAMILTON	FIRE CHIEF	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	JOHN GRENIER	J.M. GRENIER ASSOC. 787 HUNTERD TPk SHERBURG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Jessica J. EXT.  
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SIGN-IN SHEET

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Date/Time Peter Samicandro  
9/26/16

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SIGN-IN SHEET

Date/Time Speethway Health Systems  
Apple

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1 RICH HAMILTON	FIRE CHIEF	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Larry Richards	6 Lincoln Ave	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Sidron Richards	6 Lincoln Ave	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 Jessica Walters	62 Miles Street	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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