

MILLBURY PLANNING BOARD
MINUTES
October 22, 2018

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, October 22, 2018 at 7:15 p.m. Millbury Public Library, 128 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Rich Gosselin, Terry Burke Dotson, Paul Piktelis, Mathew Ashmankas

Absent: Michael Georges

7:10 p.m. Hilltop Estates Reduction of Performance Guarantee

Ms. Connors stated she had received a letter from East Hill Enterprises regarding Hilltop Estates. They are advising that the project is complete, all the lots are privately owned and they intend to turn the cul-de-sac over to the Town at the May 2019 Town Meeting. She added Stantec's review indicates there are bounds missing, loam and seeding needs to be completed and a few items on the as built plan still need to be addressed.

Based on the Engineer's opinion of probable construction costs, he suggests giving a partial credit for the work completed and the Town retain \$17,169.00. Ms. Connors advised that the Millbury Subdivision Regulations state we should hold no less than \$20,000.00 until all road ways are complete.

Paul Piktelis stated he does not want to release any funds until the applicant is present to defend his request.

Chairman Gosselin has concerns about the missing bounds and would like the applicant to explain the changes to the as built plans and would like the applicant to attend a meeting for further discussion.

Terry Burke Dotson made a motion to extend the decision to release the surety funds until the November 26, 2018 Planning Board Meeting, seconded by Paul Piktelis, voted unanimously.

7:15 p.m. 10 Washington Street – Accessory Dwelling Special Permit Public Hearing

Mathew Ashmankas read the Public Hearing notice for 10 Washington St. on the application of Patrick Perkins/J.E.P Contracting Inc., for a special permit to construct a 793.6 sq. ft. accessory dwelling attached to an existing home.

Patrick Perkins presented to the Board the proposed plans for the accessory dwelling. The drawings showed the existing home and grade with the new grade with new entrance to the accessory dwelling. He displayed the rear basement access with access to the new unfinished basement and from the existing garage. He added that the existing driveway will be widened and a set of stairs and sidewalk to access the new addition will be added.

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MILLBURY, MASS.

MILLBURY PLANNING BOARD
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Ms. Dotson inquired about a retaining wall. Mr. Perkins advised there would be a small wall installed to maintain the grading and the grade would be less than 2%. He added they will be using concrete blocks on the side of the yard to get construction equipment to the back and will regrade the area when construction is complete.

Chairman Gosselin had concerns regarding the slope on the left of the house. He wondered how or if a fire truck would be able to get to the back. He would like to see them flatten the side area to allow for fire trucks.

Ms. Connors asked if the engineers would enhance the plan to indicate the exact grade of the area of concern.

Chairman Gosselin would like the new plan to show 12 Washington St. and the associated driveway as well as the sewer and water tie in.

Mathew Ashmankas asked if the chain fence is on the boundary line. Mr. Perkins advised it is recessed from the property.

Mathew Ashmankas made a motion to continue the public hearing to October 29, 2018 at 7:40 p.m., seconded by Paul Piktelis, voted unanimously.

7:30 p.m. MME Millbury, Inc., 5-9 Latti Farm Rd. Marijuana Establishment Special Permit/Stormwater Permit, Public Hearing Continued.

Joseph Antonellis addressed the Board on Behalf of MME Millbury. He advised that MME Millbury is requesting to withdraw their application for Site Plan Approval Permit for a Marijuana Establishment and Stormwater Management Approval without prejudice to the Applicants right to re-file at a later date.

Mr. Antonellis advised that Medmen has recently acquired Pharmacann of Illinois who are nearing completion of a major cultivation facility in Holliston, Ma.

Mathew Ashmankas made a motion to withdraw the application of MME Millbury without prejudice, seconded by Paul Piktelis, voted unanimously.

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7:35 p.m. 150 & 152 West Main St., J&B Custom Homes LLC, Multi-family Special Permit/Stormwater Permit, Public Hearing Continued.

Mathew Ashmankas read into the Public Hearing a letter from Robert G. Murphy on behalf of the applicant Brennan Salo. The applicant is requesting to continue the public hearing until October 29, 2018.

Mathew Ashmankas made a motion to continue the public hearing to October 29, 2018 at 7:45 p.m., seconded by Paul Piktelis, voted unanimously.

7:40 p.m. 1 Latti Farm Rd, Discover Marble & Granite, Site Plan Review/Stormwater Permit, Public Hearing continued

John Frederico of Guerriere & Halnon, Inc. representing the applicant approached the Board. He advised they have addressed many of the comments from the Town Planner and Town Engineer. They have a few small items to change and are hoping for a decision of approval.

Ms. Connors advised the Board members that the Draft Decision of Site Plan Approval is conditioned on the applicant satisfying the items identified prior to construction. She wondered if the Board would like to Grant the approval.

Mr. Gosselin and Mr. Piktelis feel there are too many conditions at this time and would like to see them all satisfied on the plan before granting an approval. They feel a precedence would be set for future approvals if granted.

Mr. McGovern feels the conditions are minor and would like to get approval as the delay could jeopardize the applicant from beginning construction this year.

Ms. Connors and Ms. Dotson were not opposed to granting the decision with conditions, however Chairman Gosselin and Mr. Piktelis remain opposed until changes are reflected on the plan.

Paul Piktelis made a motion to continue the public hearing to October 29, 2018 at 7:10 p.m., seconded by Mathew Ashmankas, voted unanimously.

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MINUTES
October 22, 2018

Minutes

Paul Piktelis made a motion to accept the minutes of September 24, 2018, seconded by Mathew Ashmankas, voted unanimously.

Other Business

Ms. Connors advised the board members of a proposed new 12 unit apartment building to be built on the corner of West St. and Cherry St., the building will have three floors with four, one bedroom apartments on each floor. The applicant is filing with the Board of Appeals for approval of the structure with a pitched roof design as it will exceed the height allowance. She added the applicant will build the structure with a flat roof if the variance is not granted.

Ms. Connors said she would like to send a letter to the Board of Appeals stating she is in favor of the pitched roof as it will be a more appealing design.

Mathew Ashmankas read into the Public Hearing a letter received from Weislan Deptula of 46 Oak Pond Ave advising he is not in favor of having a 30 foot vinyl fence installed on his property that is part of the Casa Verde Subdivision Planning Board decision.


Adjournment


Paul Piktelis made a motion to adjourn, seconded by Mathew Ashmankas, voted unanimously. Meeting adjourned at 8:25 p.m.

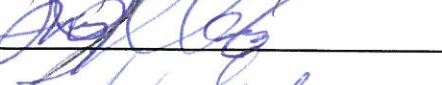
Respectfully submitted,

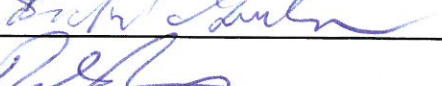
Pamela Bott

ATTEST:









Mayer, Antonellis, Jachowicz & Haranas, LLP

Attorneys at Law

288 Main Street, Milford, MA 01757
Tel. (508) 473-2203 Telecopier (508) 473-4041

William H. Mayer
Robert P. Jachowicz
Joseph M. Antonellis
Peter J. Haranas
Jill P. Dawczyk
Erin Wright (also admitted in R.I.)
A. Eli Leino (also admitted in N.H.)

October 22, 2018

Millbury Planning Board
127 Elm Street
Millbury, MA 01527

Re: Request to withdraw applications for Site Plan Approval, Special Permit for Marijuana Establishment (Cultivation) and Storm water Management Approval

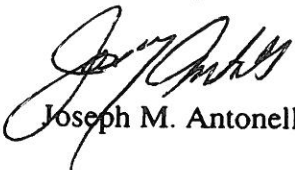
Dear Chairman Gosselin and Members of the Planning Board:

Please accept this letter as a formal request by MedMen to withdraw its applications as same are outlined above and to do so without prejudice to the Applicant's right to re-file at a later date.

At the present time I have been authorized to inform this Board that Medmen has recently acquired Pharmacann of Illinois. Pharmacann, like MedMen, is a leader in the Cannabis industry and is nearing completion of a major cultivation facility in Holliston, Ma. Prior to moving forward with its planned cultivation facility in Millbury, MedMen needs to make a detailed analysis of the Cannabis industry in Massachusetts to determine if its newly acquired Holliston facility can provide the necessary product to the proposed retail stores that will eventually sell Cannabis and Cannabis related products.

Notwithstanding the request to withdraw, Medmen would like to thank the Planning Board, Town Planner Laurie Connors, Town Administrator David Marciello and Police Chief Desorcy (and their staff members) for taking the time to expeditiously review and process the detailed application. The Town of Millbury has been receptive and accommodating. To the extent that there are any outstanding bills for peer review or other expenses attributed to the hearing process, please forward same to my attention and I will direct them to the appropriate department at Medmen.

Respectfully submitted,


Joseph M. Antonellis

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OCT 22 2018

MILLBURY PLANNING BOARD

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2018 OCT 23 PM 2:06
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

October 22, 2018

- 7:10 p.m. Hilltop Estates Reduction of Performance Guarantee
- 7:15 p.m. 10 Washington Street Accessory Dwelling Special Permit Public Hearing
- 7:30 p.m. Public Hearing Con't – Marijuana Establishment Special Permit
/Stormwater Permit
5-9 Latti Farm Road
MME Millbury, Inc.
- 7:35 p.m. Public Hearing Con't – Multi-family Special Permit/Stormwater Permit
150 & 152 West Main Street
J & B Custom Homes LLC
- 7:40 p.m. Public Hearing Con't – Site Plan Review/Stormwater Permit
1 Latti Farm Road
Discover Marble & Granite
- 7:45 p.m. Request for Minor Modification – Site Plan Review/Stormwater Permit
442 Greenwood Street
Solect Solar

New Business:

Other Business:

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

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SIGN-IN SHEET

Public Hearing 1 Latti Farm - Discover Marble & Granite
 Date/Time 10-22-18 @ 7:40 pm

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 <u>John Stob</u>			
2 <u>[Signature]</u>		<input checked="" type="checkbox"/>	
3	<u>234 Madley Rd</u>	<input checked="" type="checkbox"/>	
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SIGN-IN SHEET

Public Hearing 5-9 Latti. Farm Rd. - WHE Willbury
Date/Time 10-22-18 @ _____

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	<i>Barbara Boston</i>			
2	<i>George J. Ostrom</i>	<i>10 Sumner Ln Danbury MA</i>		
3	<i>John T. Ostrom</i>	<i>285 Main St Danbury MA</i>	<input checked="" type="checkbox"/>	
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SIGN-IN SHEET

Public Hearing 10 WASHINGTON ST

Date/Time 10-22-18 @ 7:15 pm

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Patrick Perkins	1-Old Common		
2 Carol & Mark Weller	28 Somerset St Holden MA		
3			<input checked="" type="checkbox"/>
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Wieslan Deptula
112 Santon Rd.
Worcester, MA 11606

9/28/18

Richard Gosselin
Planning Board Chairperson
Town of Millbury
Town Hall
Millbury, MA 01527

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MILLBURY PLANNING BOARD

RE: 30 " Fence

Dear Mr. Gosselin,

I am the owner of record of 46 Oak Pond Ave and I am writing to the board regarding item S of the Casa Verde Villages Planning Board decision requiring the installation of a 30" vinyl fence in front of my property. Please be advised that I do not want the 30 " fence installed on my property.

Thank you very much

Weislan Deptula

Wieslan Deptula

774-578-0047



ROBERT G. MURPHY & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS
214 Worcester Street
No. Grafton, Massachusetts 01536

rgmenvi@verizon.net
rgmenvironmental.com

Oct. 17, 2018

Laurie Connors
Director of Planning & Development
Municipal Office Building
127 Elm Street
Millbury, MA 01527

Request for Continuance, 150 & 152 West Main Street

Laurie,

The applicant, Brennan Salo has requested to have the Millbury Planning Board continue the public meeting scheduled for Oct. 22, 2018 to Oct. 29, 2018. The purpose for this request is to give this office enough time to respond to the plan review as prepared by Stantec Consulting Services, Inc.

We are also in the process of preparing a lighting photometric plan and updating the existing conditions plan as requested. We anticipate all of this information will be compiled prior to the hearing to be held on October 29th.

Respectfully submitted,

Robert G. Murphy

Robert G Murphy, Project Manager

Cc: Client, file



TOWN OF MILLBURY DEPARTMENT OF PLANNING & DEVELOPMENT

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MILLBURY PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, the Millbury Planning Board will hold a public hearing on Monday, October 22, 2017 at 7:15 p.m. in the Millbury Public Library, 128 Elm Street, Millbury, MA, on the application of Patrick Perkins/J.E.P Contracting Inc., property located at 10 Washington St., Millbury, MA for an Accessory Dwelling Special Permit under Article 1, Section 14.11(e) of the Millbury Zoning Bylaws. Applicant proposes to build a 793.6 sq. ft. accessory dwelling attached to an existing home.

Application is available for review in the Planning Department during normal business hours. Anyone wishing to be heard on this matter should appear at the time and place specified above.

Richard Gosselin
Chairman

Please publish in the Millbury Sutton Chronicle on October 4, 2018 and October 11, 2018

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