

MILLBURY PLANNING BOARD
MINUTES
December 10, 2018

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TOWN CLERK

2019 JAN 15 AM 9:36

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, December 10, 2018 at 7:10 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Rich Gosselin, Terry Burke Dotson, Paul Piktelis, Michael Georges

Absent: Mathew Ashmankas

7:10 p.m. 4 Woodridge Rd. - Public Hearing - Special Permit for Accessory Dwelling Con't.

Charles E. Michaud advised the Board members that at the last meeting the Planning Board requested that the corners show the pins on the plan. He stated the land surveyor will pin the corners when he presents the "As built" plan for a building permit.

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

Paul Piktelis made a motion to waive from Section 12.44 (c) an Isometric Line Drawing. Photographs of all sides of the existing home were submitted in lieu of an isometric line drawing, seconded by Michael Georges, voted unanimously.

Paul Piktelis made a motion to waive under Section 12.44 (9d) a Locus Plan at scale of 1" = 100'. Locus plan is at 1" = 500', seconded by Michael Georges, voted unanimously.

Paul Piktelis made a motion to Grant the Notice of Decision on an Accessory dwelling unit, special permit for 4 Woodridge Road, subject to conditions a through l, seconded by Michael Georges, voted unanimously.

7:15 p.m. Autumn Gate Estates - Major Modification to Definitive Plan Decision –Public Hearing Con't.

Attorney Kurzon representing Mr. Gallo updated the board on the progress made from the last meeting. She advised that she, Ms. Connors and Mr. Gallo have been working on a proposed construction schedule and have met at the site for an inspection of the roadway. She stated she didn't feel it was an issue to contact Mr. Bruce Lapine regarding the sewer tie in as the pumping station only has enough lines for 28 houses and that includes Mr. Bourdeau's property.

Ms. Dotson believes it is an issue and that Mr. Lapine should be contacted and offered the ability to explore a possible tie in even if it's at his own expense.

Chairman Gosselin questioned the pump station, stating there was an original design for Autumn Gate II with 5 additional lots and wondered if those lots were accounted for in the original pumping station design.

Mr. Gallo stated he only knows of the original 28 lots on the subdivision plan.

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Ron Bourdeau of 32 Autumn Gate Circle suggested that the original developer L.R.C may have done the design for the pump station and it may be on file at Town Hall. He also wondered if it might be possible for Mr. Lapine to tie into sewer on Grafton Street.

Mr. Gallo stated that he doesn't believe there is sewer in front of Mr. Lapine's lot on Autumn Gate Circle and if he were to tie into his sewer he would be digging up a large portion of the roadway which could result in insurance and liability issues.

Attorney Kurzon stated they have submitted three requests for bond reductions.

Ms. Connors provided the Board members with Stantec's opinion of probable construction costs. She advised we currently have \$574,879.00 available and Stantec estimated we will need \$617,405.00. According to the estimate there is a shortage of funds and she does not recommend the Board release any funds at this time.

Attorney Kurzon believes we have changed the contractual agreement of the bond and doesn't believe Mr. Gallo would be responsible for the changes, she would like time to further review the construction cost estimate.

Chairman Gosselin would like to extend the request for construction extension for six months.

Ms. Dotson would like to extend to the January 14, 2019 meeting so that all parties have time to review the information provide.

Mr. Gallo addressed the Opinion of Probable Construction Cost in regards to Station 31+25. He said they never bonded that section of roadway and don't have intentions on bonding it, they are not asking for a reduction of bond for that section.

Mr. Gallo stated he doesn't plan to give the Town any additional money, he feels he has agreed to do more work than required of him and he will top coat the existing roadway

Paul Piktelis made a motion to continue public hearing to January 14, 2019 at 7:15 pm., seconded by Michael Georges, voted unanimously.

7:20 p.m. 358 ½ Greenwood St. Wat Barameyta Satharan Temple – Public Hearing Continued.

Paul Piktelis read into the public hearing a letter from Nea Sann requesting a continuation of the public hearing to January 14, 2019

Paul Piktelis made a motion to continue the public hearing to January 14, 2019 at 7:20 p.m., seconded by Michael Georges, voted unanimously.

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New Business

442 Greenwood St – Solar Select, Decommissioning Bond

Ms. Connors advised the Board members that during a site visit with the Town Engineer and the applicant it was noticed that the infiltration basins were not working properly. David Glenn of Stantec asked the applicant to install a headway and a pipe that will enable the basin to drain. She advised that this is a design change from an infiltration basin to a retention basin with an outfall.

Paul Piktelis made a motion to approve the modification as depicted on the revised Stormwater Basin Plan for 442 Greenwood Street, Millbury, MA, prepared by Allen Engineering & Associates, Inc., dated November 30, 2018 last revised December 10, 2018, seconded by Michael Georges, voted unanimously.

Ms. Connors advised the applicant is seeking a Decommissioning Bond in the amount of \$110,250.00. She sent the bond to town council for review and approval but has not received it back from them yet. She asked the board if they would like to approve the Demolition and Removal Bond subject to Town Council approval. She also advised that the applicant has agreed to supply \$25,000.00 to be deposited into a separate account to cover the bond.

Paul Piktelis made a motion to accept the Decommissioning Demolition and Removal Bond for 442 Greenwood Street, Millbury MA in the amount of \$110,250.00 subject to the approval of Town Council as well as \$25,000.00 cash to pay for the cost of calling in the bond should it arise, seconded by Michael Georges, voted unanimously.

Other Business

1 Latti Farm Rd. Millbury, MA

Ms. Connors presented the board members with the design plan and color choices for the retaining wall at 1 Latti Farm Rd. She advised that as a condition of approval the board members will need to approve the design of the retaining wall in order for the applicant to obtain a building permit.

Terry Burke Dotson liked the sable blend color.

Michael Georges made a motion to approve the proposed design plan of the presented retaining wall, seconded by Paul Piktelis, 3 in favor, Michael Georges opposed.

Millbury Self Storage

Paul Piktelis questioned the exterior design of Millbury Self Storage stating that the new building does not match the exterior of the existing building.

Ms. Connors advised that the condition of approval was the new building exterior should match the existing building and she will reach out to the applicant regarding this issue.

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Ms. Connors invited everyone to the Complete Streets Public Forum on Wednesday December 12, 2018 at 7:00 p.m.

Minutes

Ms. Dotson indicated corrections she would like to have made on the November 26, 2018 meeting minutes.

She advised on page 4 of 5, paragraph 7, she would like to delete the last sentence and add "in other words, it takes 2 agreeing votes to make the final decision. 2 "no" votes or 2 "yes" votes."

She asked that the 8th paragraph be deleted entirely and add the following language, "Ms. Dotson would like to get a legal opinion from Town Council to see if the possible privately owned project at Clear View Country Club of a "Cluster Development", with the donation of the remaining land to the Town as "Open Space", as required by the Town's By-Laws, can be sent through the Zoning Board of Appeals. The question would be, could the ZBA waive this "Open Space" requirement and allow the Town to use the donated land in a way it deems fit"?

Ms. Dotson feels this will clarify what she was intending to say at the Planning Board meeting on November 26, 2018.

Chairman Gosselin asked that we strike the paragraph Ms. Dotson is requesting on November 26, 2018 and add the language to the meeting minutes of December 10, 2018.

Michael Georges made a motion to accept the minutes of November 26, 2018 and to accept the modifications pursuant to Ms. Dotson's recommendations, seconded by Paul Piktelis, voted unanimously.

Adjournment

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

Respectfully submitted,

Pamela Bott
ATTEST:

(Grey) Burke Dotson

Paul Piktelis

[Signature]

[Signature]

Pam Bott

From: Laurie Connors
Sent: Friday, December 7, 2018 12:49 PM
To: Pam Bott
Subject: FW: Plans

Laurie Connors, Director
Department of Planning & Development
Municipal Office Building
127 Elm Street
Millbury, MA 01527
P – (508) 865-4754
C – (774) 708-0043
F – (508) 865-0857

From: Nea Sann [mailto:nsann03@yahoo.com]
Sent: Tuesday, December 04, 2018 11:20 AM
To: Laurie Connors <LConnors@townofmillbury.net>
Subject: Fw: Plans

Hi Laurie,

I hope all is well. From the look of this email from Mike, we will not be ready for the Dec 10th public hearing. I am asking to have our public hearing move to January 14th.

-Nea

Sent from Yahoo Mail on Android

----- Forwarded Message -----

From: "Nea Sann" <nsann03@yahoo.com>
To: "mva_eng@townisp.com" <mva_eng@townisp.com>
Cc:
Sent: Tue, Dec 4, 2018 at 11:15 AM
Subject: Re: Plans

Hi Mike,

Can definitely request for a continuance for after the first of the year. I understand needing time for work to be done appropriately but without the knowledge or information I cannot and do not have a reason to not comply with their time or date that is given to me.

I think that will be great for you to communicate with them directly, this middle person thing is difficult, but I would like to be keep in the loop.

I am sending a request for an extension to the 14th of January, hopefully this will be enough time.

Again please let me know if you need anything from me.

- Nea

Sent from Yahoo Mail on Android



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

December 10, 2018

- 7:10 p.m. Public Hearing - Special Permit for Accessory Dwelling
4 Woodridge Road
Derek & Rosie Scano
- 7:15 p.m. Public Hearing Con't - Major Modification to Definitive Plan Decision
Autumn Gate Estates
Steve Gallo
- 7:20 p.m. Public Hearing Con't - Site Plan Review/Stormwater Permit
358 ½ Greenwood Street
Wat Barameyta Satharan Temple – **Continued to January 14, 2019**
- 7:25 p.m. Non-repetitive Petition
34 Grafton Street
Christopher Windle

New Business:

Other Business:

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

RECEIVED
TOWN CLERK
2018 DEC -6 PM 12:47
MILLBURY, MASS.

SIGN-IN SHEET

Public Hearing Autumn Gate Circle
 Date/Time 12-10-2018 @ 7:15 pm

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Lindsay Sherman			
2 STEVEN GRUB	11 Autumn Gate Circle		
3 Sen Kurzon Esq.	31 Autumn Gate Estates	X	X
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SIGN-IN SHEET

Public Hearing 4 Woodridge St

Date/Time 12-16-2018 @ 7:10 PM

I WISH TO SPEAK

NAME	ADDRESS	YES	NO
1 Derek Scano	4 Woodridge Rd		
2 Martha Beardson	1183 Grizifen St		
3 Gary Lee	30 Autumn Lane		
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