

MINUTES  
MILLBURY PLANNING BOARD  
NOVEMBER 9, 2015

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The regularly scheduled meeting of the Millbury Planning Board was held on Monday, November 9, 2015, at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA.

Present: Paul Piktelis, Scott Despres, Edd Cote

Absent: Michael Georges, Richard Gosselin arrives at 8:30 p.m.

Vice-Chairman Paul Piktelis opened the meeting in the absence of Richard Gosselin

**7:10 p.m. 40 Auburn Road – Discussion of Decommissioning Bond Requirement**

Joshua Smith, Esquire addressed the Board. National Grid will be subject to contractual rights to decommission the site should it no longer be used. An additional letter, signed by Edward White, VP of New Energy Solutions, was submitted for further explanation.

The Board had no further questions.

Motion by Edd Cote to amend the Notice of Decision for 40 Auburn Road, issued by the Planning Board on November 24, 2015 as it pertains to condition f and grants a waiver from the requirement to provide financial security to cover the cost of removal of the solar panels and racks and re-stabilization or re-vegetation of the property, seconded by Scott Despres, motion carried unanimously.

**7:15 p.m. 21 Davis Road Definitive Plan Public Hearing (Seguin Parcel).**

Clerk Edd Cote read the public hearing notice and waiver request into the record.

There was no public comment.

Motion to close the public hearing by Edd Cote, seconded by Scott Despres, motion carried unanimously.

Motion by Edd Cote, seconded by Scott Despres, to waive the frontage requirements for Lot AR which has 130.43 feet of frontage, motion carried unanimously.

Motion by Edd Cote, seconded by Scott Despres, to waive Section 5.3 of the Town of Millbury's Subdivision Rules and Regulations, motion carried unanimously.

Motion to approve the Certificate of Approval for the Definitive Plan entitled "Definitive Subdivision Plan, Land Owned by James P. Dunn, 21 Davis Road, Millbury, MA", with conditions as referenced in a plan prepared by B&R Survey, Inc., 100 Grove Street, Worcester, MA, on October 1, 2015, seconded by Scott Despres, motion carried unanimously.

**7:25 p.m. Mezynski – 256 Riverlin Street ANR Plan**

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Edd Cote stated that the datum reference is not on the plan. The Board took no action.

**7:30 p.m. Casa Verde Village – Approval of Homeowner’s Association and Lot Release.**

Ms. Connors stated that the document was submitted to town counsel who approved the form.

Motion by Edd Cote, seconded by Scott Despres, to approve the Declaration of Homeowners Association & Trust, motion carried unanimously.

Motion by Edd Cote, seconded by Scott Despres, to approve as to form, the Declaration of Easements and Restrictions, motion carried unanimously.

Motion by Edd Cote, seconded by Scott Despres, to approve the Release of Covenant for Lot 1A Oak Pond Avenue, motion carried unanimously.

Vice-Chairman Paul Piktelis declared a 10 minute break.

**Other Business**

**95-97 Worcester Providence Turnpike – Minor Modification of Transmission Equipment**

Edd Cote read letter from Creed Pelletier identifying the minor modifications being requested.

Motion by Edd Cote to approve the request for proposed modifications as depicted on the submitted site plan, seconded by Scott Despres, motion carried unanimously.

**Master Plan Discussion – Formation of Master Plan Committee & Visioning**

Town Planner Laurie Connors advised that the sum of \$10,000 has been approved at the annual town meeting of two years ago. The cost will be approximately \$100,000 and is typically a two year process. She has asked for quotes from some firms with a solid background in this area. She hopes to get four quotes. Ms. Connors would like to discuss the formation of a committee at the next meeting.

**8:00 p.m. Greenwood Street Solar Public Hearing, cont.**

Mark Allen explained the revisions made to the plan from the last meeting.

Motion by Edd Cote, seconded by Scott Despres, to continue the public hearing to November 23, 2015 at 8:00 p.m., motion carried unanimously.

Vice-Chairman Paul Piktelis declared a 10 minute recess.

**8:30 p.m. Richard Gosselin arrives**

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**Minutes**

Motion by Edd Cote, seconded by Paul Piktelis, to approve the minutes of October 19, 2015, motion carried unanimously,.

**8:30 p.m. Westborough Road Solar Public Hearing, cont.**

Brendon Gove, ZPT Energy Solutions was present to address the Board. He explained addition noise barriers, and stated that Mr. Etre has agreed to an easement across his property.

Mr. Gosselin asked what the final grading of the project would be. Mr. Gove stated that reclaimed asphalt will be used and calculations have been revised, the grading will be 9% in some areas. The plan will be revised as a condition of approval.

Clerk Edd Cote read letter from Worcester Attorney David Moore to Enzo Simmarano, explaining Worcester Zoning Ordinance as it relates to the Etre property, compliance with the zoning bylaw and the shifting of the driveway.

Mr. Gove stated that he spoke with Kate Toomey and a Worcester City Councilor advising that this would not be an issue.

Kate Toomey, City Councilor, stated that she did meet with Mr. Gove, and has just found out that Attorney Moore did not agree with her interpretation.

Mr. Russell stated that there is no approved access through Millbury, the only access is through Worcester, the Board cannot approve this plan.

Clerk Edd Cote read letter from Enzo Simmarano addressing damage to the Simmarano property and measures taken to ensure that no further damage would be done and asked questions about discussions with Brendon Gove.

Ms. Connors advised that even if the applicant needs a curb cut permit from Worcester, the applicant can go to any Board at any time, this is site plan review and the Board cannot deny an application based on the need to get an approval from some other Board. You must decide if they are complying with the town of Millbury's regulations.

Mr. Cote wants Worcester's official opinion on this.

Mr. Gosselin would like clarification from Town Counsel, and also his opinion on the easement to be granted by Mr. Etre.

City Councilor At Large, (and attorney) from Worcester, advised that through its letter, the law department is stating that access through Worcester is not legal, there is not sufficient access.

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Motion by Edd Cote, seconded by to continue the public hearing to November 23, 2015 at 8:15 p.m, seconded by Paul Piktelis, motion carried unanimously.

**Mezynski, 256 Riverlin Street ANR Plan – second discussion**

The Board discussed this plan to give Mr. Gosselin an opportunity to comment on it. Mr. Gosselin asked that the applicant send an email stating they comply with the Town's datum requirement.

**Other Business**

Mr. Gosselin would like the Board to discuss revisions to the ANR regulations, the Board agreed to do so at a future meeting.

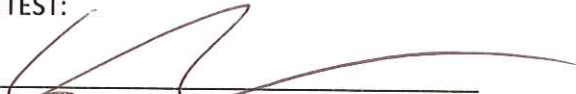
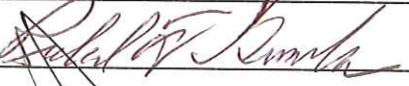


**Adjournment**

Motion by Paul Piktelis, seconded by Edd Cote to adjourn, motion carried unanimously. Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Susan M. Dean

ATTEST:

  
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*Scott Desjardins*  
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## REVISED

### PLANNING BOARD AGENDA

November 9, 2015

- 7:10 p.m. 40 Auburn Road – Discuss Waiver of Decommissioning Bond Requirement
- 7:15 p.m. 21 Davis Road Definitive Public Hearing (Seguin Parcel)
- 7:30 p.m. REVISED: Casa Verde Village – Approval of Homeowners' Association & Lot Release Documents
- 8:00 p.m. Greenwood Street Solar Public Hearing Con't
- 8:30 p.m. Westborough Road Solar Public Hearing Con't
- 9:00 p.m. 95-97 Worcester Providence Turnpike – Minor Modification of Transmission Equipment

#### Other Business:

- Mail, Minutes, Vouchers
- Performance Guarantee Release – 16 South Main Street (POSTPONED)
- Waiver Request & Performance Guarantee Release – 60 Elm Street (POSTPONED)
- Discussion of Master Plan – Formation of Master Plan Committee & Visioning
- ADDITION TO AGENDA: Mezynski – 256 Riverlin St. ANR Plan
- All business not reasonably anticipated to be discussed



# 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 9, 2015

15 NOV - 4 PM 1:21  
TOWN OF MILLBURY

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- 7:15 p.m. 21 Davis Road Definitive Public Hearing (Seguin Parcel)
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SIGN-IN SHEET

21 Davis Rd. - Debitive Plan

Date/Time

	NAME	ADDRESS	I WISH TO SPEAK	
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SIGN-IN SHEET

Westborough St. John Public Hearing

Date/Time

November 9, 2015 8:30 pm

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Gore Zoo Print Development	29 E. Corvitz Rd. Rutland, MA	✓	
2	Ann Kach	17 Flint Pond Rd. Worcester	✓	
3	GEORGE RUSSELL	30 Dolly Dr WORC	✓	
4	BRENGERMAN	19 VALENTE DRIVE WORC	✓	
5	Beth Simmarano	16 Flint Pond Road W12	✓	
6	Euro Simmarano	16 Flint Pond Road WORC	✓	
7	Elise Gallucci	9 Flint Pond Rd WORC	✓	
8	Paul Galanti	2 Flint Pond Rd WORC	✓	
9	Christina Mataro	10 Flint Wood Rd WORC	✓	
10	Abigail Mataro	10 Flint Wood Rd WORC	✓	
11	Dick Begman	39 Highland St	✓	
12	John Banks	50 Ideal Rd.	✓	
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**SIGN-IN SHEET**

*Greenwood St. Solar Public Hearing*

Date/Time

*November 9, 2015 8:00 PM*

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