

MILLBURY PLANNING BOARD
MINUTES
May 22, 2017

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, May 22, 2017 at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Vice-Chairman Paul Piktelis presided.

Present: Richard Gosselin, Edd Cote, Terry Burke Dotson, Paul Piktelis, Michael Georges

Absent:

7:15 p.m. United Material Management, 33A Southwest Cutoff, Minor Modification to Site Plan

Whitney Hall, Green Seal Environmental represented the applicant and updated the Board with changes to the plan following the previous Planning Board meeting. The building was moved back five feet and changes were made regarding retaining wall work. The Fire Chief approved the changes, however requested in the back corridor that the words *Fire Lane No Parking* be painted in the fire lane. Mr. Hall also stated that they proposed a two to one slope near the pond. The plan reflects the slope and additional rip rap details.

Edd Cote made a motion to grant minor modification to site plan and stormwater management plan entitled United Material Management of Millbury, LLC, 333A Southwest Cutoff, Millbury, MA 01527 prepared by Green Seal Environmental, Inc. dated 09/12/16 last revised 5/10/17 seconded by Paul Piktelis, voted unanimously.

Other Business

Minutes

Edd Cote made a motion to accept the minutes of April 10, 2017, seconded by Paul Piktelis, voted unanimously.

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7:30 p.m. Thomas Stratford, 221 Riverlin Street – Site Plan Review and Stormwater Management Permit - Public Hearing Continued

Robert Murphy of Murphy & Associates represented the applicant for Stratford Park Phase I plan. Mr. Murphy made changes to the plan including additional details for the handicapped ramp, one of the iron pins has been added, revised plan dates are on all sheets and spot grades have been added. Mr. Murphy worked with the Planner to provide all updates as requested.

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

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Edd Cote made a motion to grant a partial waiver request under Section 12.44 (a) of the requirement to submit building elevation plans with the Site Plan Review application. The Applicant shall submit building elevation plans for the proposed facility for Planning Board review and approval prior to issuance of a Building Permit, seconded by Paul Piktelis, voted unanimously.

Edd Cote made a motion to grant a waiver under Section 12.44 (c) of the requirement to submit an isometric line drawing, seconded by Paul Piktelis; Rich Gosselin, Paul Piktelis and Edd Cote voted in favor, Michael Georges and Terry Burke Dotson Abstained, none opposed.

Edd Cote made a motion to grant a waiver under Section 12.45 (n) to locate parking spaces within the eastern side setback, seconded by Paul Piktelis; Rich Gosselin, Paul Piktelis and Edd Cote voted in favor, Michael Georges and Terry Burke Dotson Abstained, none opposed.

Edd Cote made a motion to grant a waiver request under Section 12.45 (o) to allow sloped granite curbing around the perimeter of driveways and parking areas and haunch concrete curb where walkways abut the building, seconded by Paul Piktelis; Rich Gosselin, Paul Piktelis and Edd Cote voted in favor, Michael Georges and Terry Burke Dotson Abstained, none opposed.

Edd Cote made a motion to grant a waiver request under Section 12.45 (q) of the requirement for interior landscaping to cover not less than 5% of the total area of the parking lot, seconded by Paul Piktelis; Rich Gosselin, Paul Piktelis and Edd Cote voted in favor, Michael Georges and Terry Burke Dotson Abstained, none opposed.

Edd Cote made a motion to grant site plan approval and stormwater management permit for Thomas Stratford, 237 LMB, LLC on plan entitled "Stratford Park - Phase 1, 221 Riverlin Street, Millbury, Massachusetts", prepared by Robert G. Murphy & Associates, Inc., plan dated February 24, 2017 last revised May 17, 2017 seconded by Paul Piktelis; Rich Gosselin, Paul Piktelis and Edd Cote voted in favor, Michael Georges and Terry Burke Dotson Abstained, none opposed.

7:45 p.m. Solar Farm, Valente Drive - Decommissioning Surety Bond

Laurie Connors informed the Board that she spoke with Brendan Gove with regard to the decommissioning surety bond. Mr. Gove believes the Board is being unreasonable requiring an additional \$25,000.00 in cash above the approved bond so that they will be seeking legal action. Chairman Gosselin stated that if the bond is not paid, it is gone. General discussion followed as to how to avoid this in the future and have a clear understanding of what is

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expected. Chairman Gosselin would like to see an additional \$25,000.00 cash held by the Town in addition to the bond.

Other Business

Laurie Connors informed the Board that she received a call from someone inquiring about a possible kennel license. The person has three dogs but would like to get two more, however the dogs are pets that remain inside the home. Laurie would like clarification as to the Board's pleasure with regard to site plan review fees and submission requirements. Edd Cote initiated discussion with regard to dogs that have puppies and when to define it as a kennel. Ms. Connors noted that the Town rules have changed from three to four dogs. Mr. Cote inquired as to what defines a kennel other than the dog count. Edd believes that having a separate building for housing could be a criteria but is having difficulty with where to draw the line. Mr. Cote believes a kennel needs to be defined further rather than just pet count. Michael Georges agrees if a person has additional dogs that live in the home and are not for sale, then that could possibly not constitute a kennel under site plan review. Mr. Georges worries that people will come in and state they are not selling them, but actually do.

Ms. Connors stated that the Planning Board does not issue kennel licenses as the approval falls under the Board of Appeals. Planning Board's jurisdiction is site plan review.

Terry Burke Dotson inquired if there are other towns where we could research the definition. Ms. Connors indicated that the Board could consider minor site plan review and major site plan review with different triggers for both. Minor site plan review in another town just includes meeting with department heads, for example and the fee structure is less, however Millbury doesn't have that in place now but could change it in the future. Ms. Dotson is concerned that if there is an abutter that may have an issue with an application, he or she may not have an opportunity to voice their opinion through the public hearing process.

The Board began discussion if an applicant could ask for waivers on submission requirements including fee structure. Site plan would include a public hearing with abutter notification. Photos or other sketches could be used instead of a formal property survey etc. Laurie inquired if the Board is open to granting a waiver for the filing fee. Ms. Dotson agrees that the fee could be reduced so long as the abutters are notified. Chairman Gosselin and members agree that an applicant could ask for a waiver request for fee relief for the Board's review. The applicant must pay for advertising as the abutter notification and public hearing requirement remains.

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Adjournment

Terry Burke Dotson made a motion to adjourn, seconded by Paul Piktelis voted unanimously.
Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Michelle T. Desorcy

ATTEST:



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

May 22, 2017

- 7:15 p.m. United Material Management, 333A Southwest Cutoff, Minor Modification to Site Plan
- 7:30 p.m. Thomas Stratford, 221 Riverlin Street - Site Plan Review and Stormwater Management Permit - Public Hearing, Continued
- 7:45 p.m. Solar Farm, Valente Drive - Decommissioning Surety Bond

New Business:

Other Business:

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

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TOWN CLERK
17 MAY 19 AM 8:34
MILLBURY, MASS.

SIGN-IN SHEET

United Material Mgt.
Date/Time 5/22/17 7:15 pm

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 <u>Chryse Hill</u>	<u>Green Sea</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2		<input type="checkbox"/>	<input type="checkbox"/>
3		<input type="checkbox"/>	<input type="checkbox"/>
4		<input type="checkbox"/>	<input type="checkbox"/>
5		<input type="checkbox"/>	<input type="checkbox"/>
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SIGN-IN SHEET

Date/Time Thomas Strathel Pe'adal Riverview St
May 22, 2017 7:30 pm

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Bob Murphy	214 Weaver St Greer SC		
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SIGN-IN SHEET

Date/Time Spirit Farm Parents Drive
Monday, 2017

NAME	ADDRESS	I WISH TO SPEAK	
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