

MILLBURY PLANNING BOARD

MINUTES

July 15, 2013

RECEIVED  
TOWN CLERK  
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MILLBURY, MASS.

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, July 15, 2013, at 7:15 p.m., in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Richard Gosselin, Michael Georges, Alan Linkevich, Paul Piktelis, Jeff Markarian

**7:15 p.m. Planning Board Member Appointment**

At its last meeting the Board of Selectmen voted unanimously to recommend Edd Cote as the full time Planning Board member. Mr. Cote was present to answer any questions the Board may have.

Motion by Alan Linkevich to recommend Edd Cote as the full member to the Planning Board, seconded by Jeff Markarian, motion carried unanimously.

Motion by Alan Linkevich, seconded by Paul Piktelis to recommend Jaime Dubey to the position of Alternate Member to the Planning Board, motion carried unanimously.

**7:20 p.m. ANR – 248 Riverlin Street**

Mr. Gosselin remarked that he did not think the Registry of Deeds would accept this plan for recording as it did not say “ANR” on it, and it does not state who the owner is.

Paul DeCaro, applicant, was present to address the Board. He is taking a large parcel and dividing it into two parcels, one five acres, one about nine acres.

Clerk Jeff Markarian read letter dated June 21, 2013, requesting a waiver from Subdivision Regulations, Section 4.1.14 requirement for site distance.

Motion by Jeff Markarian, seconded by Paul Piktelis to approve the waiver from Section 4.1.14 of the town of Millbury’s Subdivision Rules & Regulations, motion carried unanimously.

Motion by Jeff Markarian, seconded by Paul Piktelis, to accept the ANR Plan entitled “Plan of Land owned by Rosemary A. DiPierro, 248 Riverlin Street, Millbury, Massachusetts, Scale: 1” = 100’, Date: June 13, 2013”, motion carried unanimously.

**7:40 p.m. Autumn Gate Estates II Subdivision – Public Hearing – Extension of Construction Deadline**

Clerk Jeff Markarian read the public hearing notice.

No one was present to represent the applicant. Motion by Jeff Markarian to continue the public hearing to 9:00 p.m. this evening, seconded by Michael Georges, motion carried unanimously.

**7:45 p.m. Brierly Pond Village II – Approval of Performance Guarantee**

MILLBURY PLANNING BOARD

MINUTES

July 15, 2013

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John Burns was present. A revised cost estimate was completed by Tighe & Bond. The re-alignment of Beach and Elmwood Street was added to this cost estimate. Town Planner Connors reviewed the performance guarantee and advised that it is identical to previous one, with the cost adjustments.

Motion by Jeff Markarian to accept the performance agreement in the amount of \$229,046, dated July 15, 2013, seconded by Paul Piktelis, motion carried unanimously.

Motion to release the covenant executed by Brierly Pond Realty on June 1, 2005 relating to buildings 13 through 15, seconded by Paul Piktelis, motion carried unanimously.

**7:50 p.m. 25 Upton Street, Definitive Plan Endorsement**

The 20 day appeal period has expired. Motion by Jeff Markarian to endorse the plan entitled "Definitive Plan of Land in Millbury, Massachusetts, Owner: Karen S. McFadden, 25 Upton Street, Millbury, MA, Worcester County", dated May 27, 2013, prepared by New England Land Survey, Inc., 25 Sutton Ave., Oxford, MA, seconded by Paul Piktelis, motion carried unanimously.

7:50 p.m. Chairman Gosselin declared a five minute recess.

**8:00 p.m. 47 Dorothy Road, Accessory Dwelling Special Permit**

Clerk Jeff Markarian read the public hearing notice, letter from DPW Director requesting sewer modifications, and letter from applicant Brian Flynn requesting waivers.

Brian Flynn was present to address the Board. Mr. Gosselin asked about the deck and the distance of the house from the property line. Mr. Flynn stated that the deck could be altered and the house is approximately 75 feet from the property line. Mr. Gosselin recommended an 8' deck. Mr. Flynn agreed to do so. Town Planner Connors advised that if the deck was to remain in that location it would be necessary to go before the Board of Appeals.

There was no public comment.

Motion by Jeff Markarian to close the public hearing, seconded by Paul Piktelis, motion carried unanimously.

Motion by Jeff Markarian to approve a waiver from Section 46.2.3(5) that the gross floor area of an accessory dwelling unit shall not exceed 800 sf, the dwelling unit shall be 1,056 sf, seconded by Michael Georges, motion carried unanimously.

Motion by Jeff Markarian to approve the waiver from Section 12.44(a) requirement to depict existing and proposed contours at one foot intervals, seconded by Michael Georges, motion carried unanimously.

MILLBURY PLANNING BOARD

MINUTES

July 15, 2013

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Motion by Jeff Markarian to approve the waiver from Section 12.44 (a) and ( e ) elevation and façade treatment plans. The applicant submitted photographs of all sides of the existing building as well as isometric design drawings showing façade changes. Seconded by Paul Piktelis, motion carried unanimously.

Motion by Jeff Markarian to approve the waiver for scale requirement, seconded by Alan Linkevich, motion carried unanimously.

Motion to approve the site plan entitled "Site Plan of Land, 47 Dorothy Road, Millbury, MA", dated July 8, 2013, prepared by Tauper Land Survey, Inc., 25 Sutton Ave., Oxford, MA, for an accessory dwelling subject to conditions previously mentioned and standard conditions of every application, seconded by Paul Piktelis, motion carried unanimously.

**8:30 p.m. Autumn Gate Estates Subdivision – Public Hearing Extension of Construction Deadline and approval of Performance Guarantee**

Clerk Markarian read the public hearing notice.

Attorney George Kiritsky was present on behalf of the applicant.

Mr. Georges asked when construction would commence. Attorney Kiritsky responded that it would occur within the next year. Applicant is requesting a two year extension. The security presented is a covenant.

Steven Gallo addressed the Board. He is trying to bond a total of 8 house lots, and would proceed with the remaining subdivision in phases. Mr. Gosselin asked if he would be selling lots to other builders, he responded, no.

Motion by Jeff Markarian to accept the covenant from Foxgate LLC, dated July 15, 2013, seconded by Paul Piktelis, motion carried on a 4-1 vote, Alan Linkevich was opposed.

Dan Rogers, 110 Grafton Street, asked about the large pile of loam at the point where he is supposed to start, and which is close to his property. Mr. Gallo did not know what lot it was he was referring to. Attorney Kiristky stated that it was within the bonded lots.

Motion to close the public hearing by Jeff Markarian, seconded by Paul Piktelis, motion carried unanimously.

Motion by Jeff Markarian to extend the construction deadline for the period of two years, to July 15, 2015, seconded by Paul Piktelis, motion carried on a 4-1-0 vote. Alan Linkevich was opposed.

**8:45 p.m. Town Planner Connors advised the Board that the applicant for the Autumn Gate II Subdivision is not going to be able to attend this evening.**

Chairman Gosselin declared a ten minute recess.

MILLBURY PLANNING BOARD

MINUTES

July 15, 2013

---

**9:00 p.m. Autumn Gate Estates II Extension of Construction Deadline Public Hearing, cont.**

Motion by Jeff Markarian to continue the public hearing to August 12, 2013 at 7:15 p.m., seconded by Alan Linkevich, motion carried unanimously. The meeting will most likely be held at the Millbury High School.

**9:10 p.m. Pre-Application Discussion – Slots Parlor**

Heather Trudell, Esquire on behalf of applicant, Mass Gaming & Entertainment, LLC was present. The developer, Rushstreet Gaming is proposing to construct a casino.

Neil Bluhm, Chairman, from Rushstreet Gaming began by stating that they have developed major shopping malls and hotels and real estate all over the country, including Faneuil Hall, Copley Place, and several casinos.

David Patent, President and Chief Operating Officer for Rushstreet Gaming spoke about the types of projects this company develops and some of their awards and recognitions.

Steve Peck, Klai Juba Architects, identified the site at the McCracken Road intersection, reviewed renderings of the site, which included characteristics of Millbury. All development is to be within the Highway Corridor Overlay District. 1250 slot machines, one full service restaurant and other eating areas, live music area, and a day spa is part of the proposal, which will be in the range of \$200,000,000 creating an increase in taxes and jobs, will develop the area into a tourist region and create off-site road improvements.

He stated that there will be 400 high quality permanent jobs, and opportunities for local business, and local vendors for goods and services. Local vendors will have to be licensed by the state to be eligible. No hotel.

Robert Michaud, MDM transportation spoke on traffic issues. Site will be accessed primarily from Route 146. There will be no left turn access onto McCracken Road. An additional Route 146 southbound lane is proposed. An additional lane is to be added to McCracken Road, with shoulder widening, a relocated sidewalk connection, and the updating of the bridge connection serving as an access road.

Attorney Heather Trudell advised that the applicant planned to file a special permit application for the August 12 meeting. Simultaneously, they will work with the town for the host agreement, the town will have a referendum vote, and an RFA II application must be submitted to the state by October 4<sup>th</sup>.

Mr. Gosselin asked if any conference centers will be included with this plan. There are no plans for full blown conference space, but there will be a multipurpose room used for entertainment and group meetings and will accommodate up to 200 – 300 people.

MILLBURY PLANNING BOARD

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Alan Linkevich remarked that applicant stated that the majority of the traffic is going to travel from Route 146, and then they said this will be a boon to local businesses, so how will all the traffic get to those businesses if not traveling through the town?

Mr. Gosselin stated that traffic is difficult during different times of the year at the Shoppes. It was stated that they are not relying on the same lanes as the Shoppes. They will look at the function of the traffic signal. It will retain the same level of service or improve on it. Casinos are unlike retail venues and have high seasons in late winter and spring. They will work with Mass DOT.

Town Planner Connors stated that the Mass DOT plan is not necessarily done, the town of Millbury must come up with the cost of designing the solution, these improvements may be several years away. McCracken Road, Greenwood Street and local roadways can't handle the existing flow, and 9% of the traffic volume is proposed to be traveling these roads, it could be several hundred cars. The Greenwood Street and McCracken Road intersection is inadequate and should be addressed. There are approximately 20 – 30 vehicles on a Friday night one way onto McCracken Road, 0 the other way, there is no access. There will be less impact than the Shoppes.

Alan Linkevich asked about the bike path extension and any impact to it.

Michael Georges asked about signage and visibility from Route 146.

Charles Porter designer for Rushstreet stated that here is a water tower element for regional visibility to identify the location. He was advised that a water tower was not part of Millbury's history.

#### Adjournment

Motion to adjourn by Alan Linkevich, seconded by Paul Piktelis, motion carried unanimously.  
Meeting adjourned at 10:30 p.m.

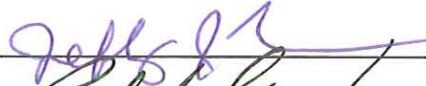
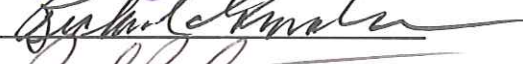
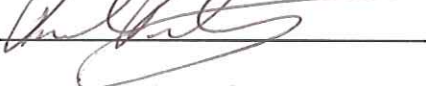
Respectfully submitted,

Susan M. Dean

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ATTEST:

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# TOWN OF MILLBURY

DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508/865-4754 • FAX 508/865-0857

## PLANNING BOARD AGENDA July 15, 2013

RECEIVED  
TOWN CLERK  
13 JUL 11 AM 9:49  
MILLBURY, MASS.

- 7:15 p.m. Planning Board Member Appointment
- 7:20 p.m. ANR – 248 Riverlin Street
- 7:30 p.m. Autumn Gate Estates II Subdivision – Public Hearing (Extension of Construction Deadline)
- 8:00 p.m. 47 Dorothy Road Accessory Dwelling Unit Special Permit Public Hearing
- 8:30 p.m. Autumn Gate Estates I Subdivision – Public Hearing (Extension of Construction Deadline) & Approval of Performance Guarantee
- 9:00 p.m. Brierly Pond Village II – Approval of Performance Guarantee
- 9:15 p.m. Pre-Application Discussion – Slots Parlor

### Other Business:

- Mail, Minutes, Vouchers
- Sign Mylar 25 Upton Street
- All business not reasonably anticipated to be discussed

- Subject to Change -

SIGN-IN SHEET

47 Dorothy Rd.  
 Date/Time 8:00 pm July 15, 2013

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Mike Sully	65 N. Main St N. Grafton		X
2	Jamie Flynn	47 Dorothy Rd		X
3	Steve Comolli	11 Bayside		X
4	James Flynn	4 B Ark Ave St		X
5	Alexander Belusle	339 W. Main St		X
6	Jennifer O'Connell	30 Hemlock Dr	X	X
7	Mathew Ashmankos	5 Millburg Terrace		X
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SIGN-IN SHEET

*Autumn Gate II*

Date/Time July 15, 2013 7:30 pm

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			YES	NO
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SIGN-IN SHEET

Autumn Gate I

Date/Time 8:30 pm July 15, 2013

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Meg Gallo	28 Cold Brook Cir, Jefferson, 01522		✓
2	Steven Gallo	28 Cold Brook Cir, Jefferson, 01522	✓	
3	George Kintyng	87 Main Street Rutland, MA 01543	✓	
4	Mike Sully	65 N. Main St N. Grafton		X
5	Paul DiCiccio	ONE BELLA RONA		✓
6	Bob Campanaro	20A GROVE ST		✓
7	Horacio Goodman	1 LAKEVIEW RD Milbury		✓
8	Thoudergan	118 Grafton St		✓
9	Alex Beusle	339 W. Main St		X
10	Ben O'Connell	30 HAMBLOCK DR		X
11	Dan Rogers	110 GRAFTON ST	✓	
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