

MILLBURY PLANNING BOARD
MINUTES
August 25, 2014

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TOWN CLERK

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The regularly scheduled meeting of the Millbury Planning Board was held on Monday, August 25, 2014 at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Edd Cote, Richard Gosselin, Paul Piktelis, Michael Georges, Jeff Markarian

7:15 p.m. Minutes

Motion by Edd Cote, seconded by Paul Piktelis, to accept the minutes of August 11, 2014, motion carried unanimously.

Other Business:

Ms. Connors advised that she is scheduled to appear before the Board of Selectmen to accept Oakes Circle and Diana Hill Road. The Selectmen will also sign the contract with Fay, Spoffard & Thorndike.

Mr. Gosselin asked about the sidewalk and drainage on South Main Street. Ms. Connors has asked for an update, the landowners were contacted for an easement.

7:30 p.m. Millbury National Bank Sign Special Permit Public Hearing

Clerk Jeff Markarian read the public hearing notice.

No one was present on behalf of the Millbury National Bank. Ms. Connors stated that the sign is conforming to the bylaws, not in the right of way or interfering with the sidewalk in any way. The Board would like to stipulate that the maximum height will not exceed 6 feet.

There was no public comment.

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

Motion to approve the Sign Special Permit for a 59" x 30" sign, with conditions a – e, by Jeff Markarian, seconded by Edd Cote, motion carried unanimously.

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Chairman Gosselin declared a five minute break.

7:45 p.m. Casa Verde Estates Definitive Subdivision Public Hearing, con't

Attorney Stephen Maddaus was present on behalf of the applicant, along with Rob Truax, engineer.

Revisions to the plan were discussed. Conditions of approval were discussed. The project will be split into four phases.

Attorney Maddaus identified conditions which were a concern with the applicant. Condition 5a identifies trees on the individual lots which will be saved, applicant would like to be sure that this condition will not interfere with cutting of trees on lots. It will also be addressed on the phasing plan.

Condition F1 – filing of Notice of Intent with Conservation Commission. Clerk Jeff Markarian read letter from Matt Ashmankis, Conservation Commission advising that a Notice of Intent will be required. He found that roadways were being cut through wetlands. There is an intermittent stream present, and he is concerned with wetland areas and disturbance impact to abutters. It will be the applicant's responsibility to obtain any and all permits required by the Conservation Commission.

Mr. Gosselin stated that he went out for a site visit but could not find the staked roadway.

Condition 9, surety for improvements: Mr. Maddaus asked if it would prohibit partial releases, Town Planner Connors said no, she will clarify condition.

Condition H – 3, 4, 5, these are off-site improvements, applicant would like the condition to specify that they will not include private property. Fire hydrants will be installed.

Condition M - an on-site engineering report was prepared, clarify what applicant shall install.

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Condition P – two sets of replacement light fixtures will be given to the town. Ms. Connors agreed to one set, as these fixtures are in transition with the electric company and the meter program they offer, and they are viewed as a specialty light.

Condition Y – hours of operation: too restrictive. Ms. Connors stated that this is just for site work, not construction and she will clarify the condition.

Condition Z – five year completion date – applicant would like a seven year date. The Board advised that the standard is three years, this was already increased to five.

Ms. Connors asked the Board about construction vehicles traveling on Westview Ave. The Board must decide if Westview Ave. can be used for road improvements to that roadway. The connection to the subdivision through Westview Ave. will take place during Phase III.

Chairman Gosselin opened the meeting to the public.

Judy Zaleski, 2 Westview Ave., is concerned with the condition of Westview Ave. and would like heavy construction vehicles prohibited from using Westview Ave. She asked who hires the engineers that do the traffic study. Ms. Connors advised the applicant hires and pays for the study, the town has a consulting engineering firm to review and comment on the study, which is also paid for by the applicant. Mrs. Zaleski also stated that the new apartment proposal is within a mile from Oak Pond Avenue, this will be a large increase in traffic. She also suggested an increase to frontages in the bylaw to limit the number of house lots. Ms. Connors explained the purpose of this open space proposal.

Matt Ashmankis, 5 Millbury Terrace, Millbury Conservation Commission. This site has been altered over the last 60 years. A wetland comes within 57 feet from one of the markers. This stream used to drain to Dorothy Pond, and he stated that the detention pond is right down the path. He is concerned that if the detention pond cannot handle the runoff, abutters will experience water problems. He

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advised that the applicant will have to come before the Commission to address all issued.

Thomas Courtney, 46 Oak Pond Ave. met with Taniel Bedrosian, the developer. He is concerned that a car will go through the stop sign to his house. He does not want a rock/boulder wall there to stop cars. He reminded the Board that his driveway lines right up with this roadway. He asked for screening, fence, steel bars for protection. He asked what happens if the developer runs out of money to complete the last two phases, will that mean that this will be a dead end subdivision? Mr. Gosselin stated that surety will have to be in place before the roadways will be completed, for just this reason. He thanked the Board for bringing up the headlight problem. He does not like the idea of bushes in front of his house because they are a lot of maintenance. He would like a barred privacy fence instead. The problem remains with the driveway opening. Applicant advised that he offered to install a 5 foot vinyl fence or plant screening with stones. He advised that the road and the radius is not directly across from the house, it is between the two houses on either side. He does not see a hazard there, but admits it is an inconvenience. He can add concrete filled posts behind fence. Ms. Connors stated that according to the zoning bylaw, if you are within 20' of the right of way a fence cannot exceed 30" in height without Board of Appeals approval.

Mr. Courtney would rather have a 30" fence with 4" posts instead of plantings. A 50 foot fence, 30" high, with 4 foot posts will be installed, unless Board of Appeals will agree to a higher fence. Attorney Maddaus cautioned that this work will be done on private property, so they will have to enter into an agreement to achieve this.

Mr. Gosselin asked the applicant to go to the Conservation Commission as soon as possible and would like their approval before the Board makes a decision. He would also like to conduct a site visit, and would like the DPW Director to provide a letter stating he is in agreement with the revisions.

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Ms. Connors advised that the applicant needs an extension of time to act. She asked for a September 9, 2014 date, applicant agreed and submitted a written extension.

Motion to accept the extension of the Planning Board's review of the subdivision plan for Casa Verde Village by Jeff Markarian, seconded by Edd Cote, motion carried unanimously.

Motion to continue the public hearing to September 8, 2014 at 8:00 p.m., by Jeff Markarian, seconded by Paul Piktelis, motion carried unanimously.

9:05 p.m. Cobblestone Village Multi-Family Permit and Stormwater Public Hearing, con't

John Grenier was present with the applicant, Steven Venincassa. Mr. Grenier stated that since the last meeting, revisions to the plan were made according to the consulting engineer's comments, a traffic study has been submitted, and the Conservation Commission hearing was closed last week. Levels of services were discussed. Taking a left turn from Hamilton Street during a peak hour, is a level C service now. In the future a no-build would turn this to a level D. During a peak hour this is acceptable. All other levels of service would remain in the same range.

Mr. Grenier addressed the drainage system and advised the Board that they are looking at options to raise the spillway by 6 inches which will reduce runoff significantly, it will be held in detention areas on site.

Applicant also provided details on the bus stop, curbing, and brick paver sidewalks. He referred to an elevation plan which meets current height requirements. Buildings will be clapboard and brick sided.

Mr. Gosselin asked for contours in yards, where water went from the channel, it goes into a stone line canal system and heads to Lincoln Street, according to Mr.

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Grenier. Mr. Venincassa spoke with the DPW Director who is not familiar enough with this. The canal system ultimately goes to the Blackstone River.

Mr. Cote asked where overflow of detention basin would go, he was told that it could be raised over 6 inches, it would create a 70 percent reduction in overflow. Mr. Gosselin asked applicant to fix the wall on private property, and go above 15 inch pipe with another emergency pipe and run to manholes in street, to present runoff drainage. Mr. Venincassa asked if he conferred with DPW Director to see if this was possible, Mr. Gosselin said no. Mr. Gosselin suggested a video crawler to see the condition of the system. Applicant agreed to look at this.

Chairman Gosselin opened the meeting to the public.

Joshua Morin, 45 Howe Avenue, was concerned with water runoff, blasting and impact to wells. Mr. Gosselin stated that a letter from Aquarion Water Co. was going to be submitted stating that they were comfortable with the blasting proposal. He asked why this original 8 house subdivision turned into this. Mr. Gosselin advised that zoning in this area allows for this use.

Scott Robbins, 49 Howe Ave., asked if the Board thinks this is a good thing for the town. It appears that if the developer does what the Board asked, this will be pushed through. What is the role of the Board? Mr. Gosselin advised that this proposal meets the zoning requirements, if it meets the Board's conditions it will go through.

Mary O'Brien, 86 Miles Street, asked about the traffic study, did it take into consideration only two or three intersections? Applicant answered yes. Did it take into effect the intersection at Hamilton Street and Main Street? Applicant replied no. Ms. O'Brien referred to the failure of the Shoppes traffic study. She added that when leaving Miles Street to enter Hamilton Street it is a blind, dangerous area. No speed limit is posted there. Mr. Gosselin added that signs could be added there. Mr. Grenier advised that the traffic study only looks at the closest intersections, as this project cannot solve all intersection problems. Ms.

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Connors advised that only intersections within 500 feet are required to be studied, the applicant actually expanded the scope as some of these intersections exceeded it. Ms. O'Brien added that there is some inherent unknown risk using blasting chemicals. She wanted to know who would guarantee that these apartments will remain nice and kept up.

Todd Broberg, 48 Miles Street, wanted to know how many houses can be built in this town? There are 98 more proposed off Oak Pond Avenue, and more at Autumn Gate, is there any planning involved? Ms. Connors stated that she conducted a build-out analysis. She looked at all zoning districts and protected open space and forecast what the town would look like if built out. There is a significant amount of buildable land in town, and a number of projects that haven't been built yet. You could permanently protect open space, or increase house lots through zoning. The previous project would also have included blasting, and other concerns that have been brought up. The only way to stop this is to purchase it and permanently protect it. The town has bylaws that determine how many units can fit on a parcel. This proposal complies with the zoning there.

Donald Rajotte, 36 Lincoln Ave. Ext., thought that this could not be built unless the zoning is changed. Ms. Connors stated no, the only zoning in question was the height, and the rendering with flat top roofs meet the requirements. He stated that this only has one way in and out. There is a dirt road there, if there was an emergency couldn't this be used? Mr. Cote believes it is private property. Mr. Rajotte asked the Board to obtain a right-of-way. Illegal immigrants are coming in, what if you have two families living in one apartment, leases should state only one family can live in each unit. Mr. Gosselin stated this is out of the Board's control. He asked if there is a capacity limit for sewer that the town would max out on when using the Worcester line. He also stated that the closest intersection is Lincoln Ave. Ext. where he lives. He has to wait for 5 to 7 cars to pass when he wants to exit. Also, what about the tractor trailer trucks backing into the factories there? There could be up to 10 a day.

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Larry Richards, 6 Lincoln Ave., questioned the additional pipe suggestion. Every year when the snow melts and with the spring rain the roadway hydroplanes there. He watched the Earth Removal Board meeting. Rock can be crushed there, dirt will be removed and will be replaced with concrete for foundations, etc. He asked if this project will be built in phases? Is there any way to keep this area from being strip-mined all at once if the project isn't built out?

Mr. Venincassa advised that the site work will not be phased, he wants to get the entire site to grade within a short time frame, including roadways, parking areas, etc., it will be less disruptive to everyone. Buildings will go up last and will be phased. Mr. Gosselin asked when the clubhouse would be built? Mr. Venincassa stated that this would be one of the first things built, it will be used as a sales office.

Motion by Jeff Markarian, seconded by Paul Piktelis, to continue the public hearing to September 8, 2014, at 8:30 p.m., motion carried unanimously.

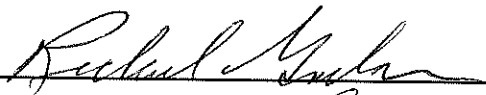
Adjournment

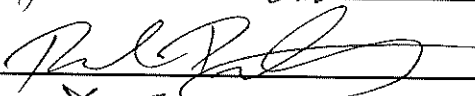
Motion to adjourn by Jeff Markarian, seconded by Edd Cote, motion carried unanimously. Meeting adjourned at 10:25 p.m.

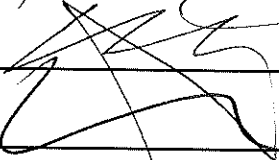
Respectfully submitted,

Susan M. Dean

ATTEST:







Edd Cote



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 August 25, 2014

RECEIVED
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14 AUG 20 PM 2:27
MILLBURY, MASS

- 7:15 p.m. Mail, Minutes, Vouchers
- 7:30 p.m. Millbury National Bank Sign Special Permit Public Hearing
- 7:45 p.m. Casa Verde Estates Definitive Subdivision Public Hearing Con't
- 8:30 p.m. Cobblestone Village Multi-family Permit & Stormwater Permit Public Hearing Con't

All business not reasonably anticipated to be discussed

Subject to Change

SIGN-IN SHEET

Wellington National Park
Date/Time 8/25/14 7:30pm

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
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SIGN-IN SHEET

Date/Time 8/25/14 8:30 pm
Cathleen Village

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Joshua Morin	45 Howe Ave	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Michael McGinnis	84 MILES ST.	<input type="checkbox"/>	<input type="checkbox"/>
3 Scott Robbins	49 Howe Ave	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 Mary O'Brien	86 MILES ST.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5 SISTER BALLARD	8 LINCOLN AVE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6 Jo Ann Dunn	25 WASHINGTON ST.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7 Peggy Dupuis	4 Lincoln Ave	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8 Tom Beckett	48 MILES ST	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9 Kamler Erickson	41 Howe Ave	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10 Steve Erickson	41 Howe Ave	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11 Anthony Rickard	6 Lincoln Ave	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12 Donald D. Smith	36 Lincoln Ave Ext.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13 Apple Richards	6 Lincoln Ave	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14 Chris Richards	4 Howe Ave	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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SIGN-IN SHEET

Carla Vella

Date/Time 8/25/14 7:45 pm

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Michael McElroy	84 Miles St. Milbury MA		
2 Judy Zaleski	2 Westview Ave "	<input checked="" type="checkbox"/>	
3 DICK ZALESKI	2 WESTVIEW AVE		<input checked="" type="checkbox"/>
4 Matthew J. Azmarchak conf	5 M.7/Bury Terrace	<input checked="" type="checkbox"/>	
5 Thomas P. Courtney	46 Oak Pond Ave	<input checked="" type="checkbox"/>	
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