

MILLBURY PLANNING BOARD
MINUTES
November 28, 2016

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, November 28, 2016, at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Vice-Chairman Paul Piktelis presided.

Present: Edd Cote, David Haak, Paul Piktelis, Michael Georges - Rich Gosselin arrived 7:34 p.m.

Absent:

7:15 p.m. Casa Verde Subdivision- Release of Lots

Taniel Bedrosian, developer for Casa Verde Subdivision, came before the Board requesting lot releases for Phase III of the subdivision. A Tripartite Agreement is enclosed for the Board's endorsement with the bank guaranteeing \$521,268.00 for probably construction cost as prepared by the Town's engineering firm, Stantec. The document will be recorded on November 29, 2016.

Edd Cote made a motion to release lots 63 through 72 and lots 90 through 98 on Westview Avenue as depicted on a definitive subdivision plan entitled "Definitive Open Space Subdivision Casa Verde Villages Millbury, Massachusetts dated May 12, 2014 last revised August 27, 2014, applicant: HAYR LLC & Senek LLC, plan prepared by GLM Engineering Consultants, Inc., and recorded with the Worcester District Registry of Deeds. Motion to release pending the recording of the Agreement, seconded by Michael Georges, voted unanimously.

7:20 p.m. Stratford Village Subdivision- Performance Agreement and Release of Covenant

Michael Staiti, representative from Stratford Village, came before the Board requesting the release of fourteen lots as part of Phase I construction of the subdivision. The Town's engineer provided an opinion of probably construction cost in the amount of \$234,717. Mr. Staiti is securing a letter of credit in the amount of \$250,000 to cover the estimated construction costs.

Edd Cote made a motion to release the covenant on lots 7, 8, 9, 10, 11, 12, 13, 14, 44, 45, 46, 47, 48 and 49 as shown on the Plan filed with the Worcester Registry of Deeds on September 29, 2014 in Book 52853 Page 180 which describes the Covenant, in exchange for a letter of credit from Commerce Bank Letter of Credit number 88882904 dated November 10, 2016 with an expiration date of December 31, 2018 and received by the Town on November 15, 2016 in the amount of \$250,000.00, seconded by Michael Georges, voted unanimously.

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7:25 p.m. Solar Farm- Valente Drive - Decommissioning Plan

Pete Forte of ZPT Energy Solutions, LLC provided a Decommissioning Plan for solar facility located at 16 Valente Drive, Millbury. The amount of the decommissioning assurance will be \$18,338.00. Some components will be recycled rather than demolished and disposed of.

Edd Cote inquired if there will be any replanting of trees on the property. Mr. Forte stated that trees were planted behind the homeowners' properties as requested by the Town Planner.

Edd Cote made a motion for acceptance of the Decommissioning Plan submitted by ZPT Energy Solutions regarding solar plan at 16 Valente Drive, Millbury, MA, seconded by Michael Georges, voted unanimously.

7:30 p.m. Nate Gardner, 26 Lake Street - Informal Discussion - Construction of a Single Family Home

Nate Gardner came before the Board for informal discussion on the possible construction of a single family home on 26 Lake Street. Mr. Gardner's father owns an eight acre parcel off Dorothy Pond and would like to sell him one third of an acre of land to construct a single family home. There is no access except through a right of way and the proposed area does not meet the one hundred foot frontage requirement. Nate's father is willing to grant a permanent easement for access.

(Rich Gosselin arrived 7:34 p.m.)

Chairman Gosselin would have to review if the Town allows that as an exception. Chairman Gosselin mentioned that if there was an eighteen foot path for access, Mr. Gardner may want to consider bringing that up to the minimum roadway standards. Mr. Gardner will review minimum requirements rather than securing an easement. Mr. Gardner noted that sewer and public water are on Lake Street and Birch Street. Mr. Gardner will likely tie into both utilities. The Board suggested reaching out to the Department of Public Works for minimum standards. Chairman Gosselin indicated that Mr. Gardner's plan should show pictures and contours of the land to show if there needs to be any relief for drainage, etc. Mr. Gardner thanked the Board for their comments.

Other Business

The Board was informed that Chris Ryan from Central Mass. Regional Planning Commission will be filling the role as interim planner.

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Chairman Gosselin initiated general discussion with regard to the upcoming Special Town Meeting and proposed bylaw regarding methadone clinics. The Board would like clarification from Town Counsel whether the proposal will apply to any clinics under the Dover Amendment, if a "for profit" company came to Town would they have to abide by the proposed by-law if approved. In addition, the Board would like clarification if the bylaw is active upon passage, if the language is rescinded by the Attorney General's office where does the Town stand and if this impacts the Board's previous approval.

Adjournment

Paul Piktelis made a motion to adjourn, seconded by Edd Cote, voted unanimously. Meeting adjourned at 7:55 p.m.

Respectfully submitted,

Michelle T. Desorcy

ATTEST:

David Cook



TOWN OF MILLBURY

DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508 / 865-0438 • FAX. 508 / 865-0857

PLANNING BOARD AGENDA

November 28, 2016

- 7:15 p.m. Casa Verde Subdivision - Release of Lots
- 7:20 p.m. Stratford Village Subdivision - Performance Agreement and Release of Covenant
- 7:25 p.m. Solar Farm - Valente Drive - Decommissioning Plan
- 7:30 p.m. Nate Gardner, 26 Lake Street - Informal Discussion
Construction of a Single Family Home

Other Business:

Old Business:

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

RECEIVED
TOWN CLERK
16 NOV 21 PM 1:21
MILLBURY, MASS.

SIGN-IN SHEET

Date/Time

11/28/16

Casa Verde - Release of Lists

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 TAVIE/ BEDRAS 1442	12 Dudley RD		<input checked="" type="checkbox"/>
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SIGN-IN SHEET

Date/Time 11/28/16 Stairford Village - Release of Covenant

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	<i>[Signature]</i>	910 Birch. Lot R1 - Kaysville Development	56 weeks	
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SIGN-IN SHEET

Date/Time 11/28/16 Solar Farm - Valente Drive

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Pete Fste	200 Pmt Development		
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SIGN-IN SHEET

Name: Nete Gardner - 26 Lake St. - Topsham
 Date/Time: 11/25/16

NAME	ADDRESS	I WISH TO SPEAK	
		YES	NO
1 Nete Gardner	46 Lake St.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Duff Gardner	26 Lake St. Millbury, MA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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