

MILLBURY PLANNING BOARD
MINUTES
FEBRUARY 8, 2016

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MILLBURY PLANNING BOARD

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, February 8, 2016, at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Richard Gosselin, Edd Cote, Scott Despres, Paul Piktelis, Michael Georges

7:10 p.m. Dolan Road, ANR

Edd Cote read letter from Rob McNeil, III, Department of Public Works Director, requesting a waiver from Section 4.1(6) of a plan not requiring approval.

Chairman Gosselin noted that the original plan was modified to include additional information including three monuments. Chairman Gosselin doesn't have any issue with the proposed plan. Town Manager, Robert Spain stated that the project needs to move forward as there is a timeline which tree work must begin so as not to negatively impact a bat species habitat. A delay could push out the project approximately one year potentially negatively impacting grants for the Ramshorn Pond Dam project.

Motion by Edd Cote to allow a waiver of Section 4.1 paragraph 6 of a plan not requiring approval, seconded by Paul Piktelis, motion carried unanimously.

Motion by Edd Cote to endorse the ANR plan submitted by the Town of Millbury dated 2/8/2016 regarding land taking on Dolan Road, seconded by Paul Piktelis, motion carried unanimously.

7:15 p.m. Longwood Farm Estates Definitive Plan Modification Public Hearing

Chairman Gosselin opened the public hearing. Clerk, Edd Cote read the legal ad for modification of Longwood Farm Estates Definitive Plan.

Clerk Edd Cote read a letter from Attorney Jeffrey B. Leland of Leland Law Associates requesting a continuance of the public hearing. Motion by Edd Cote to continue the public hearing to Monday February 22, 2016 at 7:30 p.m., seconded by Paul Piktelis, motion carried unanimously.

7:30 p.m. Jessica J. Extension Definitive Plan/Rescission Public Hearing cont.

Chairman, Rich Gosselin opened the public hearing.

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Clerk, Edd Cote read a letter into record dated February 8, 2016 from Jennifer Lahue of 1 Jessica J. Drive requesting the following: that the water line be brought to the development by the developers requiring Town water, that Jessica J Drive be repaved and brought to public roadway standards, that Herricks Lane from Torrey Lane to the intersection of Woodland Street be repaved per condition #20 of the July, 2006 agreement, and that no blasting materials be used containing Perchlorate.

Attorney Mark Donahue represented the applicant and provided an update of the project. Mr. Donahue stated that they have gone through revisions with the Planning Board taking into account comments by Stantec. The two open issues were meeting MA Dep stormwater standards as well as traffic controls/modifications to the cul-de-sac. Stantec provided responses today and any open items have been included in the draft decision. The applicant has reviewed the draft decision and it is acceptable.

Chairman Gosselin questioned how water would sheet off the cul-de-sac. Paul Hutnik explained the proposed roadway grading and concluded that drainage is adequate at the cul-de-sac. Chairman Gosselin questioned corners marked on the plan, specifically lot 6 of Jessica J Drive. Mr. Hutnik pointed out concrete bound and explanation that all corners are properly bounded in accordance with regulations.

Chairman Gosselin initiated discussion of repaving on Jessica J. as there is none currently proposed and it is not conditioned. Attorney Donahue stated that a condition for preconstruction inspection of Jessica J is conditioned per section 6 g(3) Town Planner, Laurie Connors also identified condition 6h(2). Discussion ensued about repaving and future acceptance of Jessica J. As this is a private roadway, Waivers of Appraisal and Damages from the homeowners are necessary to move forward with roadway acceptance. The deadline has passed for this upcoming Town meeting, but could be brought forward again in the future.

Scott Despres initiated discussion about the possibility of installing public water to the development. Laurie Connors provided details of the Town regulation that if you are within 1000 ' of public water you will connect except if the project can't be served or you can't satisfy fire suppression requirements. Applicants are requesting a waiver due to not being able to satisfy fire suppression. A 30,000 gallon cistern is proposed for fire protection which the Fire Chief has approved.

Terry Burke Dotson, 20 Salo Terrace inquired as to why Jessica J not previously accepted as a public roadway. Laurie Connors explained the process for homeowners to get the roadway accepted as a public way. Terry Dotson also stated she would like water to be brought to the

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development to provide ability for others to tap in, would be valuable to the Town and if installed, paving in the area of Herricks Lane would be guaranteed.

Attorney Donahue stated that they must follow the rules and regulations and that water doesn't meet the requirements of the regulations. He also noted they have had many discussions and have worked with the Town through this process.

Chairman Gosselin initiated discussion of the type of material that should be used for stabilization of the shoulder/swale areas near the cul-de-sac. Paul Hutnik looked at different regulations and believes they have the optimal design on the plan. The operations and maintenance plan is in place to guide the homeowners' association. Maintenance would be open to a 3rd party review from time to time and the homeowner's association would provide documentation to the planning board to ensure adequate maintenance.

Edd Cote asked if the applicant would be agreeable to a condition suggesting that heavy equipment utilize Route 146 to access the development so as to not further damage the existing roadways. The applicant is agreeable. The applicant also agreed to a waiver for extension of a roadway over 1500' off a dead end.

Motion by Edd to close the hearing, seconded by Paul Piktelis, motion carried unanimously.

Discussion followed on water installation. Laurie Connors read a letter from Aquarion Water Company that stated that the installation is sufficient for domestic water but will not meet 1000 gallons per minute required for fire protection. Michael Georges noted that in order to get a building permit, the developer must meet quality and quantity.

Laurie Connors also provided further details of the requirements of the homeowners' association to create a maintenance trust to ensure the operation and maintenance plan is complied with.

Motion by Edd Cote to grant a waiver from Millbury Subdivision Regulations, Section 5.3 (1)(g) from the requirement to submit soil survey test pits and borings every 100 feet along the proposed roadways, seconded by Paul Piktelis, motion carried unanimously.

Motion by Edd Cote to grant a waiver from Millbury Subdivision Regulations, Section 5.3(5) from the requirement to prepare a Construction Plan showing 1' contours and all trees 12" in diameter, 4' above existing grade and include measures identified as A, B, C, D and E, seconded by Paul Piktelis, motion carried unanimously. Motion by Edd Cote to grant a waiver from

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Millbury Subdivision Regulations, Section 6.7(6) to permit construction of a 22-foot wide paved roadway, seconded by Paul Piktelis, motion carried unanimously.

Motion by Edd Cote to grant a waiver from Millbury Subdivision Regulation, Section 6.10 to permit sloped granite curb in lieu of vertical granite curb, seconded by Paul Piktelis, motion carried unanimously.

Motion by Edd Cote to grant a waiver from Millbury Subdivision Regulations, Section 6.13 from the requirement to install sidewalks on both sides of the sub-collector street, seconded by Paul Piktelis, motion carried unanimously.

Motion by Edd Cote to grant a waiver from Millbury Subdivision Regulations, Section 6.15 from the requirement to connect to the municipal water system if a project is within 1,000' of a public water supply, seconded by Paul Piktelis, 4 members voted in favor, Richard Gosselin opposed, motion carried.

Motion by Edd Cote to grant a waiver from Millbury Subdivision Regulations, Section 7.6 to allow slopes to exceed 1' vertical to 2' horizontal in cut, seconded by Paul Piktelis, motion denied unanimously.

Motion by Edd Cote to grant a waiver from Millbury Subdivision Regulations, Section 6.7(5) to extend the maximum length of a dead-end street beyond 1,500 linear feet, seconded by Paul Piktelis, motion carried unanimously.

Motion by Edd Cote to grant the application for Definitive Subdivision Approval of Jessica J Drive Extension as shown on plan entitled 10/21/15 last revised 2/5/16 prepared by Andrews Survey & Engineering subject to conditions a through cc, seconded by Paul Piktelis, 4 members voted in favor, Richard Gosselin opposed, motion carried.

Motion by Edd Cote to rescind approval of the definitive subdivision of land entitled "Jessica J. Extension, Definitive Subdivision Plan of Land in Millbury, Massachusetts", dated August 25, 2003, as amended through January 19, 2007, plan prepared by Thompson-Liston Associates, Inc., 51 Main Street, Boylston, MA and recorded with the Worcester Registry of Deed in Plan book 853, Plan 49, with respect to all the land shown on the Definitive Plan, seconded by Paul Piktelis, motion carried unanimously.

Motion by Edd Cote to Release Definitive Subdivision Covenant executed by Baggy M. Realty Trust, on January 22, 2007 and recorded in the Worcester District Registry of Deeds Book 40621, Page 17, seconded by Paul Piktelis, motion carried unanimously.

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

Chairman Gosselin opened the public hearing.

Clerk, Edd Cote read letter from Mark Allen, engineer representing the applicant requested a continuance of the public hearing. Motion by Edd Cote to continue the public hearing to Monday, February 22, 2016 at 7:45 p.m., seconded by Paul Piktelis, motion carried unanimously.

OTHER BUSINESS:

Laurie Connors initiated discussion of a zoning package to be presented at May, 2016 Town Meeting. Laurie provided details of zoning that was presented at last Town meeting that failed. Because zoning was presented as one large package the whole thing failed. Laurie Connors would like to split the items up. The Board concurred to break up the articles and agreed with proposed language changes as outlined by the Planner.

Edd Cote would like to have clarifying language specifically the use of the bulb at the end of cul-de-sacs. Modification of the regulations can take place on a Planning Board motion. Further discussion on the matter could be brought forward at a future meeting.


Adjournment


Motion by Edd Cote to adjourn meeting; seconded by Paul Piktelis, motion carried unanimously. Meeting adjourned at 9:05 p.m.

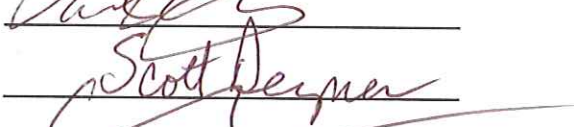
Respectfully submitted,


Michelle T. Desorcy

ATTEST:









PLANNING BOARD AGENDA
February 8, 2016

- 7:10 p.m. Dolan Road ANR
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- 7:15 p.m. Longwood Farm Estates Def. Plan Modification Public Hearing
- 7:30 p.m. Jessica J Drive Extension Definitive Plan/Rescission Public Hearing Con't
- 8:00 p.m. Greenwood Street Solar Public Hearing – Continue to 7:30 pm on 2/22/16

Other Business:

- Discuss Zoning Package For May 2016 Town Meeting
- Downtown Visioning Workshop - February 25, 2016, 6:30 pm in Large Conference Room
- Mail, Minutes, Vouchers
- All business not reasonably anticipated to be discussed

SIGN-IN SHEET

Jessica J. Extension Det. Plan/Resession

Date/Time

2/8/16 7:30 AM

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	TERRY BURKE DOTSON	20 SAULTER		
2	Rob Meneil	OPW	✓	
3	Brian Falk	Arriet O'Connell (Care Counsel)	✓	
4	Bob SPAIN	T.M.		
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SIGN-IN SHEET

Longwood Farm Estates Mt. Pleasant
2/18/16 7:15 PM

Date/Time

	NAME	ADDRESS	I WISH TO SPEAK	
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