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TOWN OF MILLBURY

Board of Appeals

Meeting Minutes

Wednesday, October 29, 2014

7:00 pm - Large Conference Room

Millbury Town Hall, 127 Elm Street, Millbury, MA 01527

Board Members

Paul Nigosian, Chairperson
Glenn Hand, Vice Chairperson
Robert Simmarano, Clerk
Harold Proodian
Ken Perro
Anna Lewandowski, Alternate member

Board of Appeals Members Present:

Paul Nigosian
Robert Simmarano
Harold Proodian
Ken Perro
Anna Lewandowski

I. Call to Order: Having complied with the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts, relative to advertising and notifying abutters, the Meeting was declared open by Robert Simmarano at 7:07 pm.

II. Approval of Meeting Minutes:

Upon a motion by Harold Proodian, and seconded by Robert Simmarano, the Board voted unanimously to approve the minutes of the September 24, 2014 meeting, as amended.

III. Public Hearing:

1. **6 Rayburn Drive (map # 39 lot # 45, Suburban 3)**

Petitioner: Karen L. Gagliardi

Petition Purpose: add one garage and walkway

Karen L. Gagliardi was present to request the board for permission to construct a garage over and walkway at 6 Rayburn Drive.

There is a drainage easement on the plot plan for 6 Rayburn Drive.

Ken Perro asked the petitioner for the ownership of the drainage easement. Ms. Gagliardi said that the town of Millbury owns the drainage easement, but there is no infrastructure exist for drainage, and DPW Director Rob McNeil had also confirmed to her verbally that the drainage easement is obsolete.

Robert Simmarano suggested that the DPW Director Rob McNeil should have something in writing stating the status of the drainage easement.

Upon a motion by Ken Perro, and seconded by Robert Simmarano, the Board voted unanimously to close the public hearing.

A motion was made by Harold Proodian, and seconded by Robert Simmarano, to grant the Variance Permit to re side yard setback and add one car garage to the existing building at 6 Rayburn Drive map 39 lot 45 as in section 23.33 with a condition that a letter from DPW Superintendent should be furnished to verify that the drainage easement is inactive, and no future use is intended.

Board members voted 5-0 to approve the requested Variance Permit.

Chairman Paul Nigosian explained that there are 21 days waiting period for anyone to appeal the decision before Karen L. Gagliardi can file the Variance Permit at Worcester Registry of Deed.

2. **95 and 97 Elm Street (Business 1)**

Petitioner: Town of Millbury

Petition Purpose: replace sign with electronic message center for Town of Millbury

Jeffrey Dore Chairman of Legacy Committee was present to get a variance to install an electric sign board as a replacement to the existing sign in the center of Millbury which is the lower common.

Millbury Town Manager Bob Spain disclosed that further research have shown that under section 34-3-2 of the town bylaws signs are prohibited. No sign including directional signs shall be exempt.

A motion was made by Harold Proodian, and seconded by Robert Simmarano, to accept the Town's request to withdraw the Request for Variance Permit to install an electric sign board as a replacement to the existing sign in the center of Millbury which is the lower common. Board members voted 5-0 to approve the withdrawal of the Variance Permit.

IV. Approve Advertising fee

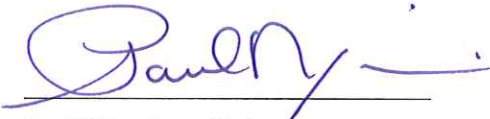
The board approved the advertising fee for 95 and 97 Elm Street public hearing. The amount is correct and the Bicentennial Committee is responsible for the payment \$80.00

V. Approve Ann's time card

VI. Adjournment

Motion to adjourn by Harold Proodian at 7:51 pm, motion carried unanimously.

Respectfully submitted by Ann Tong, submitted to Town Clerk on : _____





Paul Nigosian, Chairman

Glenn Hand, Vice Chairperson

Robert Simmarano - clerk



Ken Perro

Harold Proodian, Clerk

Anna Lewandowski