

**Board of Appeals
Meeting Minutes
Wednesday, January 10, 2024
7:00 pm**

In accordance with Chapter 40A of the Massachusetts General Laws and the Zoning Ordinances with the Town of Millbury, a public hearing was held on Wednesday, January 10, 2023 at 7:00 p.m. in the Millbury Senior Center and remotely through Zoom.us/download. The meeting was recorded and streamed by Millbury Public Access Cable Television. Chairman Ken Perro presided.

Present: Chairman Ken Perro, Dan Mezynski, Michael Georges, Adam Kobel, Harold Proodian,
Derek McGovern
Absent: Robert Simmarano

7:00 p.m. Call to order

Meeting Minutes

Ken Perro entertained a motion to approve the meeting minutes of December 13, 2023
Harold Proodian made a motion to approve the meeting minutes of December 13, 2023, Adam Kobel
seconded, voted 5-0.

**7:05 p.m. Public Hearing Con't – 40B Comprehensive Permit
17 Rice Road –SJV Investments**

Judy Barrett, representing Barrett Consulting, stated that her role is as the consultant for the Board and staff. Her services are provided by a grant that was received by the Town. She is available to the Board for any technical review or inquiries regarding the application.

Chairman Perro detailed the agenda items to be discussed.

James Tetreault, Azimuth Land Design, representing the applicant, provided the site plan updates to the Board based on the Staff and peer review comment letters. In response to the Fire Department request they have included the temporary drive between the two buildings during the construction phase.

Mr. Tetreault stated they will be providing an updated storm calculation response due to Stantec's recommendation.

Mr. Tetreault stated that the project will meet MassDEP regulations and will be filing an application with the Conservation Commission.

Discussion ensued regarding material balance onsite. Mr. Tetreault stated that they will work within the proposed grading and do not foresee trucking removal of material.

Chairman Perro inquired and Mr. Tetreault stated they will meet the material balances in regard to the gravel and foundation material and will not have to export material.

Chairman Perro inquired and Town Planner Conor McCormack stated that he is currently reviewing the Developer's responses to staff and peer review letters. He will need to receive the updated site plans to address those letters.

Mr. Tetreault stated due to the Stantec traffic review letter they will submit the updated traffic count reports.

Town Planner McCormack stated that Stantec also requested stop bars to be installed and the proposed stop sign locations. Mr. Tetreault stated that they will update the site plans to detail all of Stantec's comments.

Chairman Perro inquired and Mr. Venincasa confirmed that he will provide the timeframe for receipt of the updated traffic report.

Chairman Perro stated that the Board is awaiting the developer's response letter based on the Building and Board of Health comments received.

Chairman Perro stated that the Board is awaiting a response from Aquarion Water Company regarding the project.

Chairman Perro acknowledged that the Board has received public comments letters and they are available to view on the Board of Appeals webpage.

Robert Garland, General Manager, representing Worcester Providence Railroad, expressed concern regarding safety at the railroad crossing and the current traffic report.

Chairman Perro inquired and Mr. Garland recommended installation of safety gates at the crossing.

Chairman Perro requested and Mr. Garland stated he submitted a comment letter on the date of the meeting regarding the railroad crossing located on Rice Road.

Mr. Kobel inquired and Mr. Garland stated that the comment letter did not include the number of trains that travel through the crossing.

Mr. Proodian inquired as to the timeline of the gates previously removed from the crossing, Mr. Garland stated he would research when and who was responsible for removal.

Michael Georges inquired and Mr. Garland stated that location is not a designated rail road quiet zone.

Fran DeSimone, 1 Weldon Drive, stated that a detailed letter was received from the railroad company to the Planning Board. He also expressed concern regarding the crossing and the need for improvements.

Henry Lane, Attorney, representing several abutters to the project, expressed concerns regarding safety, increased traffic to the area, environmental impacts to the wetlands and the change to the existing neighborhood.

Cody Mathieu, 11 Rice Road, recommended the Board conduct a site visit of his property to review the impact of the proposed development as he is a direct abutter to the project.

Steve Stearns, 12 Thomas Hill Road, provided a presentation to the Board detailing the neighborhood concerns regarding the proposed project.

Michelle McGrath, 2 Aldrich Avenue, expressed support of Mr. Stearns presentation.

Doug Johnson, 3 Rice Road, stated that there was a plan to transfer land to abutters of the project.

Linda G, Hendricks Lane, expressed concern regarding traffic and Rice Road as an access roadway.

Mr. Venincasa requested to continue the public hearing to the next meeting scheduled for January 31, 2024.

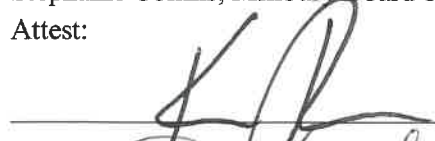






Harold Proodian made a motion to continue the public hearing to Wednesday, January 31, 2024,
Adam Kobel seconded, voted unanimously 5-0.

Harold Proodian made a motion to adjourn, seconded by Adam Kobel, voted unanimously 5-0.
Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Stephanie Collins, Millbury Board of Appeals Administrator

Attest:

	Ken Perro, Chairman
	Daniel Mezynski, Vice Chairman
	Michael Georges, Clerk
	Harold Proodian
	Robert Simmarano
	Adam Kobel
	Derek McGovern