

MILLBURY PLANNING BOARD
MINUTES
May 13, 2019

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, May 13, 2019 at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Rich Gosselin, Terry Burke Dotson, Paul Piktelis, Bruce DeVault, Mathew Ashmankas

7:15 p.m. Public Hearing Con't – Site Plan Review & Stormwater Permit
7 Colton Road
Next Grid Colton, LLC

Daniel Serber, Next Grid presented on the status of the project.

Patrick Johnson, Atlantic Engineering, stated that they addressed the three items requested from the last hearing. The turnaround is detailed on revised plan and the roadway is updated from 16' wide to 18' wide roadway.

Ms. Connors called attention to the condition of approval, to address the steep grade of roadway and the need to provide an alternative surfacing. She spoke with David Glen, Stantec, and he recommend to use same millings that were used at the Riverlin site for this project. She indicated that anything that would be over 6% would need millings.

Mr. Johnson agreed with Ms. Connors recommendation. The access roadway will be addressed separately in the future.

Ms. Connors indicated she created two conditions, condition F and second condition under P for the notice of decision.

Ms. Dotson asked if it has been decided what is needed for the road.

Ms. Connors stated that there will be a separate permit applied for the roadway.

Chairman Gosselin asked much frontage is currently at the site.

Ms. Connors stated that there is zero frontage now and it is currently a hiking trail.

Mr. Ashmankas asked for clarification of the location for the turnaround on the site plan.

Mr. Serber indicated on the plan where the turnaround will be for the site.

Ms. Dotson inquired as to how far is that point to the end of the road. Is it midway into the property?

Mr. Serber confirmed the turn around location.

Chairman Gosselin asked how they are going to feed the grid from the site.

Mr. Serber stated that the telephone poles from last house will be used. It will 3 phase wiring on existing poles and then connect in. He showed the Board the site plan depicting the wiring layout.

Mr. Ashmankas asked if 3 Colton Road will feed into the same system.

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Mr. Serber confirmed but they are not updating the existing poles but will be upgrading the wiring. Currently the wiring is single-phase wiring. It will be updated to 3 lines. They will be upgrading the service on the site.

Ms. Dotson asked for clarification on the pending vote for this project.

Ms. Connors stated that the decision conditions access to the driveway. They are planning a 16' wide, gravel access roadway. The fire department indicated approval on the 16' roadway.

Mr. Ashmankas asked if the Conservation Commission approval was received for the access crossing.

Mr. Johnson stated that they received confirmation of the approval from the Conservation Commission.

Paul Piktelis made a motion to close public hearing, Mathew Ashmankas seconded, voted 4 in favor.
Bruce DeVault abstained from voting.

Mathew Ashmankas moved to waive Section 12.44(a) waiver to accept a scale of 1"=40', Paul Piktelis seconded, voted 4 in favor. Bruce DeVault abstained from voting.

Mathew Ashmankas moved to waive Section 12.44(a) to accept a locus plan at 1"=500' and overall location plan at 1"=200', Paul Piktelis seconded, voted 4 in favor. Bruce DeVault abstained from voting.

Mathew Ashmankas moved to waive Section 12.44(b) requirement to submit a landscape plan, Paul Piktelis seconded, voted 4 in favor. Bruce DeVault abstained from voting.

Mathew Ashmankas moved to waive Section 12.44(c) requirement to submit an isometric line drawing, Paul Piktelis seconded, voted 4 in favor. Bruce DeVault abstained from voting.

Mathew Ashmankas moved to partially waive Section 51.6(1) the perimeter fence, clearing, stormwater mitigation measures, and access road within the 75' yard setback, Paul Piktelis seconded, voted 4 in favor. Bruce DeVault abstained from voting.

Mathew Ashmankas moved to accept the plan notice of decision for Site Plan approval and Stormwater Management permit 7 Colton Rd, Millbury, Ma, Assessor's Map 31, Lot 40, subject to conditions a-t for Next Grid Colton LLC, Paul Piktelis seconded, voted 4 in favor. Bruce DeVault abstained from voting.

**7:40 p.m. Public Hearing Con't – Site Plan Review & Stormwater Permit
Greenwood Street – Wat Barameyta Satharan Temple**

Ms. Connors advised the Board that she received a letter from Nea Sann indicating her request to postpone the hearing until the June 10th meeting. The updated plans are not completed as of this date.

Mr. Ashmankas asked about the current status on this project.

Ms. Connors indicated that the project is pending revised site plan, floor plan and lighting.

Paul Piktelis made a motion to continue the public hearing to Monday, June 10, 2019 at 7:30 p.m., seconded by Mathew Ashmankas, voted unanimously.

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**7:40 p.m. Public Hearing – Site Plan Review & Stormwater Permit
3 Colton Road
Next Grid Colton LLC**

Daniel Serber, Next Grid, stated that the roadway will be permitted separately only due on a timing issue. Next Grid has one agreement with the utility company for both 3 and 7 Colton Road. This site is half the size of 7 Colton Road and set back from the roadway so there will be no visual impacts to the area. The only access issue is that they will be utilizing the existing driveway. They will increase the roadway to 16 feet.

Mr. Ashmankas asked if Next Grid will raise the road level at the entrance.

Patrick Johnson, Atlantic Engineering stated that they will be matching the existing grade. He stated that any area of 6% or more will be receiving millings per Ms. Connors request.

Mr. DeVault asked if they will be following the same guidelines as 7 Colton Road.

Mr. Serber confirmed that they will follow the same guidelines.

Mr. Ashmankas asked if they think the access driveway going into the site needs to be improved.

Mr. Gustafson, Colton Road, indicated that they do not have a problem with the current driveway conditions. He indicated that there is already traffic due to the existing cell tower. They currently use the driveway.

Chairman Gosselin stated that the 10% grade is too much and requested a grade that is no greater than 8%.

Mr. Serber indicated that they will reduce the grade of the driveway.

Mr. Gustafson indicated that he is in agreement with Mr. Serber's comments.

Ms. Dotson asked for confirmation that they would only be using the beginning of the driveway for access.

Mr. Johnson confirmed that a portion of the access driveway to the cell tower will be used to access the site.

Mr. Ashmankas inquired as to the project abutting the wetlands and if they have heard from Conservation Commission.

Mr. Johnson stated that they have been before to the Conservation Commission.

In response to a question from Chairman Gosselin, Mr. Johnson confirmed that the slope of the road will be 3 to 1 and not 1 to 1.

Mr. Ashmankas asked if they put mitigation at the southwest corner where the panels will be installed. There is a 40 foot drop to the wetlands.

Mr. Johnson stated that they will be clearing trees but will avoid installing panels in that location. The site currently does not have stormwater basins. There will be erosion control measures on that side.

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Mr. Askmankas asked what will be used for erosion control.

Mr. Serber indicated that straw bales will be installed and they will be keeping as much lawn as possible.

Mr. Johnson stated that they will add additional erosion control measures to the project.

Chairman Gosselin asked if the power will run to existing poles on the street.

Mr. Johnson indicated connecting power to existing telephone poles.

Mr. Serber stated that it will be a single inter connection with National Grid.

Chairman Gosselin asked if there will be new poles all the way up Colton Road. He asked how many poles are currently on the roadway.

Mr. Johnson stated that there will be new 3 phase wiring on existing poles. The wiring will be at the top of the poles and the complete system will be grounded.

Mr. Ashmankas asked if there was any mitigation for lightning or rusting.

Mr. Serber indicated that there is no additional grounding. The poles are currently National Grid poles and their responsibility.

Mr. Askmankas requested and Mr. Johnson agreed to request a letter from the Fire Department indicating that 16' width is acceptable for the driveway.

Ms. Connors indicated that the proposed grade of the cul-de-sac serving 7 Colton Road is 12%. They will need to adjust the grade to comply with Subdivision Regulations.

Mr. Johnson stated that they will engineer the slopes to be flatter.

Mathew Ashmankas made a motion to continue the public hearing to Monday June 10, 2019 at 7:35 p.m., seconded by Bruce DeVault, voted unanimously.

**8:05 p.m. Public Hearing – Site Plan Review & Stormwater Permit
 9 West Street
 Clay Street Properties LLC**

Raouf Mankaryous, Alpha Omega Engineering Inc., stated that the existing lot is currently a parking lot. Mr. Giorgio is planning to build twelve one bedroom units and will have corresponding parking spots. He stated that there is no additional drainage necessary and that there are existing catch basins at the site. They will replace the two existing catch basins at the street and will comply with the state standard. The placement of the trees and sidewalks will be updated on the site plans per Ms. Connors recommendations. They will be add a crosswalk to Cherry St.

Ms. Connors stated that there is a solid granite curb across the street and it is not ADA accessible. Her recommendation is that they create two crosswalks and install three ADA accessible ramps.

Mr. Mankaryous indicated that they will work with DPW to address their recommendations.

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Mr. Ashmankas asked if police and fire departments approve of one egress to the property.

Ms. Connors indicated that she did not receive any comment letters from these departments.

Chairman Gosselin asked what type of roof will be constructed on the building.

Mr. Giorgio indicated that the roof has small pitch and it meets the height requirement for the town. Ms. Connors confirmed that the height was complaint.

Mr. Ashmankas asked what type of framing will be used for the building.

Mr. Giorgio stated that the building will be constructed of all wood framing.

Jeff Bandini, McMann Associates, summarized the three parts. They do not believe that the project will exacerbate any pre-existing issues.

Mr. Ashmankas asked how placing the egresses for the property on Cherry Street compares with West Street.

Mr. Bandini indicated that they compared the traffic volumes on both roadways. They found having the access on Cherry Street versus West Street did not make an impact.

Ms. Connors stated that she had strongly recommended the egress be on Cherry St based on the church traffic. Her opinion was that it would be safer for the entrance on Cherry Street versus West Street due to church services.

Chairman Gosselin stated that the peak hours are typically Sunday morning and Saturday afternoon due to activity at the church.

Mr. Bandini stated that he looked at the am peak hours and included the peak time of the services at the church.

Chairman Gosselin indicated that he drove on West Street roadway previous weekend and existing lot was full. He asked what will happen when the building is built and parking is no longer available at the site. He expressed concern on the days that there is church activity.

Mr. Giorgio indicated that the church has an agreement with the Candle Company to utilize their parking lot when overflow parking is needed.

Mr. DeVault expressed concern about the number of parking spaces and where people will park if the lot is full.

Mr. Ashmankas asked the residents if there are no parking signs on Cherry Street.

Several residents indicated that there are not any no parking signs on the road and they would like to keep it that way.

Heather Keddy, 12 Cherry St, stated that the residents were at the Board of Appeals meeting. She is happy that some of the homeowners concerns were addressed and are reflected on the updated building design. She expressed concerns about the only egress being on Cherry St., the traffic impact on Cherry Street and how placing no parking signs will impact the existing residents further up on Cherry St. She also expressed concerns about the intersection of West Street and Main Street, which she regards as dangerous.

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Ms. Connors recommended installation of an ADA accessible ramp and the curb cut on West Street.

Ms. Keddy stated that several residents disagree with Ms. Connors recommendations that the egress solely be on Cherry Street and asked if they could add one on West Street.

Chairman Gosselin expressed concern that two driveways within close proximity to an intersection will block the views and would not work for safety purposes.

Stuart Mulhane and Chairman Gosselin expressed concern about snow removal and the height/placement of snow piles.

Chairman Gosselin requested that they limit the height of the snow piles to 6' during the wintertime. He instructed the requirement be included in the conditions.

Mr. Giorgio confirmed that he will comply with any snow removal requirements.

Mr. Ashmankas asked what type of tree species will be planted for the project.

Mr. Giorgio stated that he will be going forward with Ms. Connors recommended list for the tree species.

Carol Grubinskas, 21 Cherry Street, indicated that her concerns are the parking spaces and the entrance locations. In addition she asked if there will be Section 8 units at the project, and how will the site lighting be addressed.

Mr. Giorgio indicated that they will be moving forward with the recommendations of the Planner. They will address the sight lighting concerns.

Chairman Gosselin requested that they address any lighting spill over the design plans.

Ms. Keddy inquired as to what the next step will be after this public hearing.

Ms. Connors stated that the Planning Board will render a decision at a future meeting. The decision will then be filed with the Town Clerk, which will trigger a 20 day appeal period. All appeals of the Planning Board decisions are filed with the Housing Court or the Land Court. The one page cover sheet of the decision will be mailed to all abutters of the property. In addition, the home owners can request a full copy of decision from the Town Clerk.

Mr. Ashmankas inquired where the locations will be for the ADA access to the sidewalks.

Mr. Connors stated that there is currently a sidewalk on Cherry Street but it is in bad shape. She recommended that the builder rebuild the sidewalk, redo the berm and install the ADA ramps.

Ms. Connors recommended installing vertical granite curbing on West Street. Currently there is berm installed on Cherry St. She requested that they match what is currently on the roadway.

Mr. Ashmankas requested to receive the snow removal plan for next meeting.

Mr. Ashmankas made a motion to continue the public hearing to Monday June 10, 2019 at 7:40pm, Paul Piktelis seconded, voted unanimously.

9:00 p.m. Public Hearing – Site Plan Review & Stormwater Permit

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34 Grafton Street

34 Grafton Street Realty, LLC, Kellie Windle

Steve O'Connell, Andrews Survey & Engineering, the building proposed will be a two story 11,000 sq foot building. They will demolish the existing building. The first floor will have one tenant occupancy and there are 5, roughly 1100 sq foot units on the second floor planned. The access to the building will be from the existing driveway off of Grafton St, and there will be two egresses. The proposed parking lot will have a total of 46 spaces which includes 8 existing spaces. The applicant proposes occupancy for a known tenant, dance studio for the first floor. The building will have municipal sewer and water. The revised plans will include detailing the underground electrical lines. They received comments from Stantec and the Planning Director. They are looking for direction from the Board on some issues.

Mr. O'Connell stated that they asked for several waivers. They seek a waiver in regards to interior parking lot landscaping due to the fact that there is not sufficient space to accommodate it - there are nine parking spots within the setbacks. The applicant owns both properties. They seek a waiver for installing vertical granite curbing. They would like to install Cape Cod berm. There will be concrete sidewalks installed. They are requesting a waiver for the reduction in parking spots by about 21% based on the tenants having peak hours of operation.

Ms. Connors expressed concern about the potential traffic on Saturdays. She recommended that they evaluate the reduction of parking waive when the tenants known.

Chairman Gosselin indicated that additional spots can be constructed left of the driveway on Grafton Street.

Ms. Connors requested that they follow Nature's Remedy conditions for the additional parking. The parking can be re-evaluated after six months to ensure the parking is adequate.

Mr. O'Connell will make provisions for the additional parking spots. The existing parking spots for 32 Grafton Street could be utilized. The plans will be updated.

Mr. Ashmankas asked where the parking is for the existing building on 32 Grafton Street.

Mr. O'Connell indicated on the plan the existing parking and there are eight parking spaces currently.

Mr. Piktelis asked how many spaces the building would be short if the identified tenant is not on site.

Mr. O'Connell stated that the additional lot will help. The dance studio has committed and they will be an anchor tenant for the building.

Ms. Dotson expressed concern about the landscaping for the residents abutting the property.

Mr. O'Connell stated that a vinyl fence will be installed at the property line with the abutters and a row of evergreens will be planted on right side. They have been in contact with the existing home owner to continue to provide specifics. Acerbity green giant shrubs will be planted. The front of the property has two existing hickory trees and per the tree warden they are diseased and can be removed. They will be adding replacement shade trees throughout property. The existing oak tree is also in declining health and will be removed. They will plant a similar hardwood tree in its place.

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Ms. Connors stated that the town wants to add street trees in Millbury. They would be helping with the beautification of the town by adding street trees.

Ms. Dotson asked where the sign will be installed on the site.

Mr. O'Connell stated that the sign will be installed at the front of building.

Ms. Connors recommended that the signage should be installed on the building for each tenant. She also recommended that they install awnings for each unit.

Ms. Dotson expressed concern that the building does not match the neighborhood.

Mr. O'Connell stated that they will install multi-tenant signage.

Chairman Gosselin suggested that canvas awnings canvas will enhance the appearance of the building.

Ms. Connors suggested that they install signage similar to the Felters Mill signage. That type of signage also will be is easy to replace the names of tenants in the future.

Mrs. O'Connell detailed parking and dumpster location. There will be a fenced-in, 4 yard dumpster located at the right lower corner of lot.

Mr. Windle stated that there are 14 parking spots for the existing building at 32 Grafton Street.

Mr. O'Connell stated that they are meeting with the Conversation Commission next week. The test pits have been done.

Ms. Dotson requested they install decorative lighting by each entry way in the front of the building.

Mr. O'Connell stated that the lighting plan shows a wall mounted light at each tenant door. They will be utilizing the existing pole and upgrading the light fixture. They will ensure proper lighting at the site.

Mr. Windle stated that they will do all construction to match the neighborhood.

Mr. O'Connell will make the changes to plans and send the revisions.

Mr. Ashmankas requested that they include the parking availability on the existing property due to overflow on the updated plans.

Mathew Ashmankas made a motion to continue the public hearing to June 10, 2019 at 7:45 p.m., Paul Piktelis seconded, voted unanimously.

New Business –

Ms. Connors advised the Board that she received a letter regarding a parcel on Stowe Road that the property owner would like to remove Chapter 61A. She stated that Town Counsel identified the application as incomplete. This letter can be tabled.

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Ms. Connors advised the Board on the current status of the 239 Riverlin Street project. They are not constructing the site in conformance with the approved plan. She indicated that they will need to come before the Board for approval of changes. They have added a catch basin and changed the grading at the site.

Chairman Gosselin concurred. He stated that at this point the work needs to cease at the site.

Ms. Dotson made a motion to send a cease and desist letter to the builder.

Ms. Connors stated that the Building Inspector would issue the cease and desist letter.

Chairman Gosselin instructed Ms. Connors to notify the Building Inspector that a cease and desist order is to be generated for this project.

Mr. Ashmankas asked if he should speak with Town Counsel to review if he will be able to sit in the meeting.

Ms. Connors recommended that Mat contact the attorney general's office and seek guidance on the matter.

Minutes -

Paul Piktelis made a motion to accept the minutes of February 25, 2019, seconded by Mathew Ashmankas, voted 4 in favor. Bruce DeVault abstained from voting.

Paul Piktelis made a motion to accept the minutes of March 25, 2019, seconded by Mathew Ashmankas, voted 4 in favor. Bruce DeVault abstained from voting.

Adjournment

Paul Piktelis made a motion to adjourn, seconded by Mathew Ashmankas, voted unanimously. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Stephanie Collins

ATTEST:

The block contains four handwritten signatures, each written over a horizontal line. From top to bottom, the signatures are: a large, stylized signature; a signature that appears to be 'Jerry Barber'; a signature that appears to be 'Paul Piktelis'; and a signature that appears to be 'Bruce DeVault'.

