

MILLBURY PLANNING BOARD
MINUTES
March 8, 2021

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, March 8, 2021 at 7:15 p.m. via remote participation via ZOOM video conferencing pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.C. 30A, Section 18, and the Governor's March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place. The meeting was recorded and streamed by Millbury Public Access Cable Television. This meeting was also available through [Zoom.us/j/912345678](https://zoom.us/j/912345678). Chairman Richard Gosselin presided.

Present: Rich Gosselin, Terry Burke Dotson, Paul Piktelis, Bruce DeVault, Mat Ashmankas, Fran DeSimone

**7:15 p.m. Public Hearing - Accessory Dwelling Special Permit
6 Keith David Drive
Earl Duncan**

Earl Duncan, 6 Keith David Drive, presented the Board with his application for an accessory dwelling Special Permit. He is looking to have a parent reside in the proposed dwelling.

Chairman Gosselin stated that he has received and reviewed the application; all the paperwork is in place.

The Board stated that they are in agreement with Chairman Gosselin.

Mat Ashmankas made a motion to close the public hearing, Paul Piktelis seconded, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault in favor, the vote was approved unanimously.

Paul Piktelis made a motion to grant the Notice of Decision on Accessory Dwelling Unit Special Permit and Site Plan Review for 6 Keith David Drive, subject to conditions a – I, Mat Ashmankas seconded, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault in favor, the vote was approved unanimously.

**7:26 p.m. Public Hearing - Minor Modification of Certificate of Approval for Definitive Plan to Extend
Construction Deadline
Autumn Gate Estates Phase II
Taylor Armstrong Realty Trust**

Bruce Taylor, representing Taylor Armstrong Realty Trust, stated that they are seeking a construction deadline extension.

Mr. Ashmankas stated that the lots are under a half acre and Ms. Connors stated that it was the minimum lot size in 2006 and it still complies with zoning.

Ms. Dotson inquired and Mr. Taylor confirmed that the development will access public sewer. He also stated that the Sewer Commission has reviewed and is in favor of the project.

Ms. Dotson inquired and Ms. Connors explained that the project has been through the permitting process and confirms to all bylaws, including having received Conservation Commission approval. She stated that only the construction deadline has expired and they are requesting an extension.

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Mr. DeSimone inquired and Ms. Connors confirmed that Parcel A is a separate lot for the detention basin.

Mr. Ashmankas inquired and Mr. Taylor stated that he will be in contact with the Conservation Commission regarding any extension requirement.

Mat Ashmankas made a motion to close the public hearing, Paul Piktelis seconded, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault in favor, the vote was approved unanimously.

Mat Ashmankas made the motion to extend the construction deadline to March 8, 2024, Bruce DeVault seconded, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault in favor, the vote was approved unanimously.

**7:39 p.m. Public Hearing Con't – Adaptive Reuse Special Permit, Multi-family Special Permit
& Stormwater Management Permit
Singletary Arms - 115 West Main Street, 119 West Main Street, 3 Burbank Street,
4 Burbank Street
Douglas Backman**

Douglas Backman, owner and developer, presented the updated plans which detailed an additional 30 parking spaces. He stated the plan includes the addition of 10% affordable units, which will now total 18 affordable units.

Mike Stalzer, Project Manager, confirmed that they have reduced the number of units to 180. They have reduced the commercial space from 10,000 square feet to 4,000 square feet of space. The plan has been updated to detail the upper building to be shortened in length by 40 feet to better accommodate the parking for the building. The only parking waiver would be for the studio units.

Fran DeSimone inquired and Mr. Stalzer confirmed that the extra parking spaces are from the removal of the units from the upper building. He stated that the updated square footage on the plan creates thirty parking spaces.

Ms. Connors confirmed that it is a ratio of required parking spaces per unit. They reduced the overall number of units so they require fewer parking spaces. They are adhering to the requirements for the one and two bedroom units and the only relief they are seeking is two parking spaces for studio units.

Ms. Dotson is pleased that the town will receive the fire house on West Main Street across from the Congressional Church.

Ms. Dotson discussed the existing deeds and the right of way easements on the property. She inquired on how it will be addressed with the power company. She asked previously that the right of way be addressed on the plan.

She expressed concern on the right of way that is owned by the power company. Also, she expressed concern on the parking requirements and if this project is in compliance with the Towns bylaws. She referred to the existing rules and regulations and addressing the Mayo Woolen Mill and the Power Company right-of-ways.

Ms. Dotson inquired and Ms. Connors confirmed that there has been a Technical Review Committee meeting for the proposed project.

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Ms. Dotson reviewed the current bylaws in regards to lot coverage and lot frontage, expressing concern that the project being might be in violation. She suggested that the developer update the project to have a smaller impact on the neighborhood.

Bruce DeVault requested clarification and Mr. Stalzer confirmed the locations and the water flow for the detention ponds.

Ms. Stalzer detailed the process for easement usage on a specific property with the Power Company. The one thing they will address is to request the relocation of the easement for the project.

Gary Sanginario, attorney representing Mr. Backman, stated that the easement was addressed during the previous meeting and once the project moves forward with an approval, they will contact National Grid regarding the relocation of utilities and power to the new units.

Ms. Connors inquired and Mr. Sanginario stated that they are researching further that the Mayo Mills is in fact the Steelcraft Mill and the easement related to 4 Burbank Street is the same Steelcraft easement. Mr. Backman stated that he has a drawing of the property which details the property owner as Steelcraft.

Chairman Gosselin stated that the order of conditions details that the applicant will address the easement with the Power Company.

Ms. DeSimone inquired and Mr. Sanginario stated that the power easement does not provide utilities to the Startford Village project. He stated that there are no poles, lines or structures currently located in the easement area.

Ms. Dotson inquired about easements to and from the Mayo Woolen Mills location and Mr. Backman confirmed that he owns both properties and he does not need grant an easement to himself.

Discussion ensued regarding the parking for the development. Ms. Stalzer stated that they have met the ITE Standard for parking on the site.

Chairman Gosselin requested that an additional condition be included in the decision to state that there will be a parking review and if the current plan needs to be addressed, it will be the responsibility of the owner and not the Town of Millbury.

Mr. Kablack, attorney representing Mr. Backman, stated that they have met the state's requirement and a zoning bylaw waiver request for parking requirement can be approved by the Board.

Ms. Dotson inquired and Mr. Stalzer confirmed that they have conformed to the maximum lot coverage percentage and building coverage percentage for the Bramanville Village zoning district.

Discussion ensued on the Bramanville Village zoning district requirements. Ms. Connors confirmed that they are in compliance and she read the definition of lot coverage detailed in the bylaws.

Ms. Dotson inquired and Mr. Stalzer confirmed that the project is at 25% pervious coverage and the table is detailed on page C.4 of the site plan.

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Annie Bassett, 32 Burbank Street, inquired and Mr. Stalzer stated that they are awaiting the DEP number from the State for the Conservation Commission.

Megan Shelley, 24 High Street, inquired and Ms. Connors stated that there should be a condition of approval that, prior to the start of construction, the lot combination requirement of the parcels of 4 Burbank Street and 115 West Main Street will be completed.

Ms. Shelley inquired and Ms. Connors confirmed that a full traffic survey will be submitted on the intersection of Burbank Street, West Main Street and High Street be included as a condition of approval.

Ms. Connors detailed the condition which states that prior to an occupancy permit the developer must construct the improvements to the intersection of Burbank Street, West Main Street and High Street as referenced in the prior condition. She also detailed condition X and Y to the Board.

Mr. DeSimone and Ms. Dotson stated that they object to closing the public hearing.

Paul Piktelis made a motion to close the public hearing, Bruce DeVault seconded, and on a roll call vote with Rich Gosselin, Bruce DeVault, and Paul Piktelis in favor, Terry Burke Dotson, and Fran DeSimone opposed, the vote was approved 3-2.

Ms. Connors referred to the recent changes to the zoning act, Mass General Law, Chapter 40A that were passed in January 2021 and in the opinion of Town Counsel that, due to the fact the project now includes 10% affordable housing units, this project only requires a simple majority vote.

Paul Piktelis made a motion to waive Section 12.45(q) the requirement to provide interior landscaping covering not less than 5% of the total area of the parking lot, Bruce DeVault seconded, and on a roll call vote with Rich Gosselin, Bruce DeVault, and Paul Piktelis in favor, Terry Burke Dotson, and Fran DeSimone opposed, the vote was approved 3-2.

Paul Piktelis made a motion to waive the requirement to provide two parking spaces for each studio apartment within the development, Bruce DeVault seconded, and on a roll call vote with Rich Gosselin, Bruce DeVault, and Paul Piktelis in favor, Terry Burke Dotson, and Fran DeSimone opposed, the vote was approved 3-2.

Paul Piktelis made a motion to grant the Notice of Decision for an Adaptive Re-Use Special Permit, Multi-Family Special Permit, Site Plan Approval and Post-Construction Stormwater Management Permit for Singletary Arms located at 115 West Main Street, 119 West Main Street, 3 Burbank Street and 4 Burbank Street, subject to conditions a-dd, Bruce DeVault seconded, and on a roll call vote with Rich Gosselin, Bruce DeVault, and Paul Piktelis in favor, Terry Burke Dotson, and Fran DeSimone opposed, the vote was approved 3-2.

9:20 p.m. Minutes

Paul Piktelis made a motion to approve the minutes of January 11, 2021 meeting, Bruce DeVault seconded, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault in favor, the vote was approved unanimously.

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**9:26 p.m. Public Hearing - Millbury Fire Station
130 Elm Street
Millbury Fire Department**

Ms. Connors referred to the email received by Context Architect which requested a continuance until March 22, 2021.

Mat Ashmankas made a motion to continue the public hearing to 7:20 pm on March 22, 2021, Paul Piktelis seconded, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault in favor, the vote was approved unanimously.

Paul Piktelis made a motion to adjourn, seconded by Bruce DeVault, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault in favor, the vote was approved unanimously. Meeting adjourned at 9:27 p.m.

Respectfully submitted,

Stephanie Collins

ATTEST:



