

MILLBURY PLANNING BOARD  
MINUTES  
November 22, 2021

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The regularly scheduled meeting of the Millbury Planning Board was held on Monday, November 22, 2021 at 7:15 p.m. in the Municipal Office Building, 127 Elm Street, Millbury, MA and also available through Zoom.us/download. The meeting was recorded and streamed by Millbury Public Access Cable Television. Chairman Richard Gosselin presided.

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

7:15 p.m. **Public Hearing Con't – Multi-family Special Permit, Site Plan Review & Stormwater  
Management Permit  
17 Rice Road – Rice Pond Village  
Whitney Street Home Builders, LLC**

James Tetreault, representing Azimuth Land Design, LLC, presented the revisions to the project from the last meeting. He noted the distances to the wetland areas and that the project has received an Order of Conditions from the Conservation Commission. He noted they walked Rice Road with Keith Caruso, DPW Supervisor, and reviewed the proposed road improvements as part of the project. The applicant will provide five affordable units off site to improve the town's affordable housing inventory and they will provide funds for Windle Field improvements.

Terry Burke Dotson inquired and Mr. Tetreault confirmed that the affordable housing will be a group home offsite.

Steven Venincasa, representing Whitney Street Home Builders, LLC, discussed the revisions to the plans, the roadway enhancements and the intersection improvements at Rice Road and South Main Street. He would request a condition of approval, stating the date of the roadwork completion be updated to after the first ten occupancy permits.

Mr. Tetreault stated that the calculations have been completed to ensure that fire apparatus will be able to navigate the proposed driveway in the event of a fire emergency.

Discussion ensued regarding the improved roadway widths in comparison to existing conditions.

Steve Sterns, 12 Thomas Hill Road, spoke on the current Eversource work along Rice Road and that the work will not be completed until the Spring of 2022.

Fran DeSimone inquired and Ms. Connors confirmed that this project is not a subdivision and two egresses are not required, although the applicant is asking for the waiver regardless. Ms. Connors listed the waivers the applicant is requesting for the project.

Chairman Gosselin expressed he would like to see Rice Road widened to 22 feet.

Ms. Dotson stated that she has discussed this project with Steve Sterns and requested that he speak on her behalf. Mr. Stearns expressed concern regarding the width of the road and is requesting a more detailed plan. He is also concerned about the construction schedule.

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Paul Piktelis inquired and Mr. Tetreault confirmed that the roadway right of way has been surveyed. He noted that they created the design for the roadway with the DPW Department and that they designed the improved road to be as wide as possible given the existing conditions.

Mr. Ashmankas recommended that no roadway work happen until the other end of Rice Road is open onto Providence Street. He expressed concerns regarding trucks coming in and out while the road is closed at that the end.

Terry Burke Dotson inquired and Mr. Tetreault stated that there is not a sound barrier wall. They will be installing a vegetation barrier where possible.

Ms. Dotson expressed concern about the building units located within the buffer zone and Mr. Tetreault stated that the applicant received approval from the Conservation Commission.

Ms. Dotson expressed concerned that he developed looked like a 40B project.

Bruce DeVault inquired and Mr. Tetreault confirmed that the applicant has worked with the DPW to coordinate the paving of Rice Road.

Cody Mathieu, 11 Rice Road, handed out materials for the Board noting a number of his concerns.

Numerous abutters expressed concern over the size of the development, parking spaces, width of the roadway, and increased traffic.

Paul Piktelis made a motion to continue the public hearing to 7:25 p.m. on Monday, December 13, 2021, Bruce DeVault seconded, voted unanimously.

**9:24 p.m.            Public Hearing Con't – Site Plan Review & Stormwater Management Permit  
192 Millbury Avenue  
Katherine Fairbanks**

Robert Murphy, representing the applicant, stated that the hearing had been previously continued so that the abutters could have an independent survey completed. They have not received the survey as of this meeting.

Chairman Gosselin expressed disappointment that the survey had not been completed for this meeting.

Ms. Dotson inquired and Mr. Murphy detailed the retaining wall location and design. There will be a stockade fence installed on the top of the wall for safety and abutter privacy.

Discussion ensued regarding parking, the drainage system and the zoning regulations.

Michael Brangwynne, Fletcher and Tilton, Attorney, representing the abutters, the Rizikas, explained there was not enough time to conduct the survey between meetings but the abutters plan to have the survey completed. He explained that they wanted to review several other issues with the site plan, design criteria, and other items beyond the property lines.

Steven Pikul, Bertin Engineering, representing the Rizikas, reviewed several items in his report for the Board.

Chairman Gosselin noted they were to complete the survey of the area for this meeting and Mr. Pikul stated that they did not have enough time to complete the survey.

Chairman Gosselin referred to the note in which the report states 6-8 weeks to perform the survey. He stated that the Board will need to receive the completed survey by the next meeting.

Dan Rizika, 2 Shore Terrace, expressed concerns regarding the different surveys. He reviewed the issues that the Rizika's have in regards to this project.

Paul Piktelis made a motion to continue the public hearing to 7:30 p.m. on Monday, December 13, 2021, Bruce DeVault seconded, voted unanimously.

**10:52 p.m.      Approval Not Required (ANR)  
#5 & #7 Atwood Avenue  
Jill Friedman/ David Rice**

The Board reviewed the ANR plan for 5 & 7 Atwood Avenue.

Ms. Connors stated that the ANR is for two single homes that are requesting to move the lot line due to the driveway being on the neighbor's property.

Paul Piktelis made a motion to endorse the plan entitled "Plan of Land Owned By: Jill Friedman & David and Susan Rice, 5 & 7 Atwood Avenue, Millbury Massachusetts", dated November 11, 2021, prepared by B&R Survey, Inc., Bruce DeVault seconded, voted unanimously.

**10:55 p.m.      Approval Not Required (ANR)  
McCracken Road/ Assessor's Map 33/4  
VBM Properties, LLC**

Ms. Connors stated the VBM Properties is interested in the creation of two ANR parcels and there will be no roadway construction.

Paul Piktelis made a motion to endorse the plan entitled "Plan of Property Surveyed for VBM Properties, LLC, McCracken Road, Millbury Massachusetts" dated October 4, 2021, prepared by Jarvis Land Survey, Inc., Bruce DeVault seconded, voted unanimously.

**10:58 p.m.      Release of Performance Guarantee  
57 Martin Street  
Steve Comolli**

Ms. Connors stated all construction work and items are completed and they are seeking the release of the performance guarantee.

Paul Piktelis made a motion to release the sum of \$10,000 plus interest to Steven Comolli such that \$0 is held for completion of the duplex at 57 Martin Street, Bruce DeVault seconded, voted unanimously.

**10:59 p.m.      Release of Performance Guarantee  
208 North Main Street  
Steve Comolli**

Ms. Connors stated all construction work and items are completed and they are seeking the release of the performance guarantee.

Paul Piktelis made a motion to release the sum of \$10,000 plus interest to Steven Comolli such that \$0 is held for completion of the duplex at 208 North Main Street, Bruce DeVault seconded, voted unanimously.

**Other Business**

Paul Piktelis made motion to accept the meeting minutes of November 8, 2021, Bruce DeVault seconded, voted unanimously.

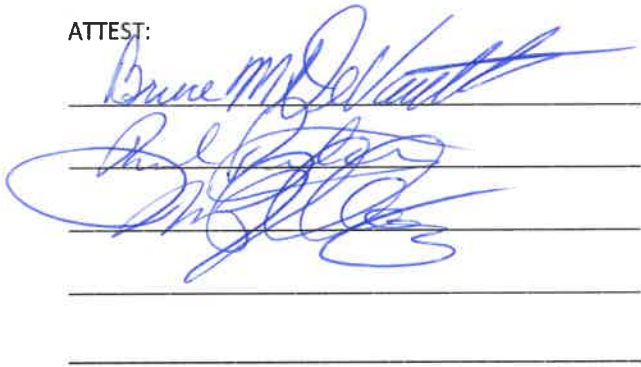
Paul Piktelis made motion to accept the meeting minutes of November 15, 2021, Bruce DeVault seconded, voted unanimously.

Paul Piktelis made a motion to adjourn, seconded by Bruce DeVault, voted unanimously. Meeting adjourned at 11:03 p.m.

Respectfully submitted,

Stephanie Collins

ATTEST:

The block contains several horizontal lines with handwritten signatures in blue ink. The first signature is clearly legible as "Bruce M. DeVault". Below it, there are two more lines with signatures that are more stylized and difficult to read. There are two additional empty lines at the bottom of the signature block.