

MILLBURY PLANNING BOARD

MINUTES

April 25, 2022

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, April 11, 2022 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, Mat Ashmankas,
Alternate Fran DeSimone

Absent: Bruce DeVault

7:15 p.m. ANR – 1 Brightside Avenue
Buck Brothers, a Division of Great Neck Saw Manufacturers, Inc

Scott Goddard, representing applicant, presented the ANR and stated that they separating parcel A due to the historical industrial use. They want it separate from future development.

Mr. Goddard stated that the property is in the process of selling and the existing dam structure will be the responsibility of the new buyer. Henry Lane, attorney representing the purchaser, confirmed the bank required Parcel A be created to separate it from the rest of the lot.

Ms. Dotson inquired and Mr. McCormack confirmed the land is in the Industrial I zone. She requested that Town Counsel review the ANR plan and the existence of the dam structure on the non-buildable lot.

Mr. Ashmankas inquired and Mr. Lane stated that there is no water power to the existing building.

Discussion ensued regarding the creation of the non-conforming lot from ANR plan. Board members shared varying concerns and comments regarding the proposed ANR plan.

Fran DeSimone, 5 Weldon Drive, inquired and Mr. Lane confirmed that Parcel A is included in the sale of Lot 1.

Mr. Goddard requested the approval of the ANR plan and expressed support if the Town sought to have their legal counsel review the ANR plan.

Paul Piktelis made a motion to waive Section 4.1.5 of the Millbury Subdivision Rules and Regulations to show all waterway and wetland resource areas pursuant to Massachusetts Wetlands Protect Act to show only the wetland delineation line and not the wetland flags, Mat Ashmankas seconded, Rich Gosselin and Paul Piktelis in favor and Mat Ashmankas and Terry Burke Dotson opposed, voted 2-2.

Paul Piktelis made a motion to waive Section 4.1.16 of the Millbury Subdivision Rules and Regulations to show the front, rear, and side setback lines, Mat Ashmankas seconded, Rich Gosselin, Paul Piktelis and Mat Ashmankas in favor and Terry Burke Dotson opposed, voted 3-1.

Paul Piktelis made a motion to endorse the plan entitled "Plan of Land, Riverlin Street, Millbury, Massachusetts, Prepared for Record Owner Buck Brothers Division of Great Neck Saw Manufactures Inc.", dated March 31, 2022, prepared by Tauper Land Survey, Inc., Mat Ashmankas seconded. Rich Gosselin, Paul Piktelis and Mat Ashmankas in favor and Terry Burke Dotson opposed, voted 3-1.

7:54 pm Minutes

Paul Piktelis made a motion to accept the minutes of April 11, 2022, Mat Ashmankas seconded, voted unanimously.

7:56 p.m. Other Business



Discussion ensued regarding the upcoming MBTA mandates.

Conor McCormack detailed the three grant programs that potentially would not be eligible for funding from the state should the town not adopt the MBTA Communities zoning and reported on past grant monetary totals. Mr. McCormack noted the Town is waiting for updated guidance from the State and that no action is needed from the Planning Board at this time.




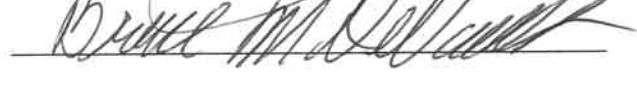

Mat Ashmankas made a motion to adjourn, seconded by Paul Piktelis, voted unanimously.

Meeting adjourned at 8:07 p.m.

Respectfully submitted,

Stephanie Collins

ATTEST:

May 12, 2022

To: Millbury Planning Board
From: Mathew J. Ashmankas
Topic: Dissenting opinion Minutes 4/25/2022

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TOWN CLERK
2022 JUN 14 PM 2:43
MILLBURY, MASS

I have reviewed the minutes of April 25, 2022. I would like to have them amended to indicate what I said at that meeting. First, regarding the MBTA overlay district, I stated that upon extensive review of MGL and the available properties within Millbury. I found that only properties located to the West of Riverlin Street and East of Montgomery Drive meet the guidelines of the intent of the law. This was omitted from the minutes. Lastly, in my last message to the Planning Board, I pointed out that under MGL, the members of the Planning Board have a duty to be objective to defending equally the developer, the abutters, and the Town. I strongly urge the Planning Board to include these statements into the minutes of April 25th, 2022. If you choose to not amend these minutes as indicated, I want this letter to be attached to the April 25th, 2022 minutes as a dissenting opinion.

Best regards,

Mathew J. Ashmankas
Planning Board Member as of 4/25/2022