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MILLBURY, MASS.

MILLBURY PLANNING BOARD

MINUTES

February 13, 2023

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, February 13, 2023 at 7:15 p.m. in the Large Conference Room, Millbury Town Hall, 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: Chairman Rich Gosselin, Paul Piktelis, Terry Burke Dotson, Fran DeSimone
Absent: Bruce DeVault

**7:15 p.m. Public Hearing – Amendment to Rules & Regulations Governing the Subdivision of Land – ANR Plan & Electronic Submission Requirements
Town of Millbury – Planning Board**

Chairman Gosselin described the proposed changes and noted they would make ANR submittals consistent with other submittal requirements to the Board. He also described the update to require digital copies of applications.

Conor McCormack stated the minor updates are to change the number of monuments from two to three points with datum references. The second update is to include the digital requirement for submittals.

Steve Sterns, 12 Thomas Hill Road, inquired and Mr. McCormack confirmed that the electronic submission requirement includes the submission of CAD files and it will be a requirement of application submittals to include digital files.

Paul Piktelis made a motion to close the public hearing, Bruce DeVault seconded, voted unanimously.

Paul Piktelis made a motion to adopt the proposed changes to the Rules & Regulations Governing the Subdivision of Land, as outlined in the staff memo dated February 13, 2023, Bruce DeVault seconded, voted unanimously.

**7:24 p.m. Public Hearing – Major Modification of Adaptive Reuse Special Permit, Multi-family Special Permit, Site Plan Approval & Stormwater Management Permit
115 W. Main Street, Singletary Arms – Douglas Backman**

Mark Kablack, attorney representing Douglas Backman, stated that the modification request is solely for an extension of the deadline from the approved notice of decision. Their Notice of Intent from the Conservation Commission is currently in the appeal process with MassDEP. There are no other changes to the plan.

Chairman Gosselin inquired and Mr. Kablack confirmed that if MassDEP requires changes to the project to be compliant with the WPA, the applicant will submit modifications to the Conservation Commission and the Planning Board.

Terry Burke Dotson inquired and Chairman Gosselin confirmed that the two year extension is warranted due to that fact that the delay is based on MassDEP issues.

Ms. Dotson inquired as to who will be responsible for the dam under the mill building. Mr. Kablack replied that the question was not germane to the modification request and that the issues with the MassDEP are underway and under review. They are in the study and report mode with MassDEP.

Ms. Dotson inquired if they have cleared with National Grid the approval in regards with frontage on Burbank Street. Mr. Kablack stated that Ms. Dotson is referring to the National Grid easement effecting the property but that is not germane to issues currently in front of the Board.

Fran DeSimone inquired and Mr. Kablack confirmed that the last correspondence with MassDEP was in 2022. Mr. Kablack stated that the current issue is with the definition of the historic mill building complex and MassDEP has requested core sampling of the site.

Chairman Gosselin inquired and Mr. Kablack stated that the field work has been completed late last year and the report is to be submitted to MassDEP.

Chairman Gosselin inquired and Mr. Kablack stated that the timeframe for their submittal will be mid-February. They are hopeful for a resolution in late spring.

Ms. Dotson inquired as to the river buffer zone for disturbance and Mr. Kablack stated that the inquiry is out the boundary for the request in front of the Board currently.

Linda LaChance, 2 Cyndy Lane, inquired as to the boundaries of the wetlands on the properties and Chairman Gosselin stated that MassDEP is handling those issues. Mr. Kablack confirmed that the area of concern is in excess of 100 feet and in some cases almost 200 feet from the river.

Paul Piktelis made a motion to close the public hearing, Bruce DeVault seconded, Richard Gosselin, Paul Piktelis and Bruce DeVault in favor, Terry Burke Dotson and Fran DeSimone opposed, voted 3-2.

Paul Piktelis made a motion to modify the Notice of Decision for an Adaptive Reuse Special Permit, Multi-family Special Permit, Site Plan Approval, and Post-Construction Stormwater Management Permit for 115 West Main Street, 119 West Main Street, 3 Burbank Street and 4 Burbank Street, Millbury, MA., that was issued by the Planning Board on March 8, 2021 so as to extend the deadline for substantial use or initiation of construction until March 8, 2025, Bruce DeVault seconded, Richard Gosselin, Paul Piktelis and Bruce DeVault in favor, Terry Burke Dotson and Fran DeSimone opposed, voted 3-2.

Other Business

Minutes

Ms. Dotson stated that she submitted an amendment to the meeting minutes this evening.

Discussion ensued regarding updating the meeting minutes. Chairman Gosselin reiterated the regulations for processing meeting minutes.

Fran DeSimone made a motion to approve the meeting minutes of January 23, 2023 as amended, seconded, Terry Burke Dotson and Fran DeSimone voted in favor.

Raymond Tremblay, 32 Beach Street, expressed concerns over the handling of potential projects in town.

Discussion ensued regarding the process that the developer of Singletary Arms did for the project in front of the Board.

Mr. McCormack stated that the Board should re-vote on the minutes to include a vote from all members present.

Fran DeSimone made a motion to approve the meeting minutes of January 23, 2023 as amended, Terry Burke Dotson seconded, Fran DeSimone and Terry Burke Dotson voted in favor, Richard Gosselin opposed, and Paul Piktelis and Bruce DeVault abstained. Motion approved.

Scott Despres stated that the meeting minutes rules state that a member does not need to be present at a meeting to vote on said meeting. The member would need to read the minutes and then proceed to vote on the minutes at the meeting.

Ms. Dotson inquired and Mr. Despres stated he will forward the Board members the meeting minute procedure information.

Linda LaChance, 2 Cyndy Lane, expressed concerns regarding the water at and near the West Main Street project.

She also inquired if the ten year school population report was completed for the project. Chairman Gosselin stated that the Board can't base their decision on how many children may or may not attend Millbury Public Schools for a project.

Bruce DeVault made a motion to adjourn, seconded by Paul Piktelis, voted unanimously.
Meeting adjourned at 8:55 p.m.

Respectfully submitted,
Stephanie Collins

ATTEST:









