

**MILLBURY PLANNING BOARD
MINUTES
September 9, 2019**

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, September 9, 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

Absent:

**7:15 p.m. ANR - Stowe Road
 Amy Peterson**

Jim Smith, represented Tauper Land Survey, Inc., requested an ANR as the Peterson's plan to sell the land behind their neighbor's property.

Laurie Connors, Town Planner, stated that this land was taken out of the Chapter 61A Program. They will be carving out a piece of land at the back of the parcel and conveying the land to the Young's. It will become a joined lot.

Mr. Smith requested two waivers: for the scale of the plan and the setting of monuments at every corner.

Chairman Gosselin commented that the monuments are required in the Town regulations.

Mr. Smith commented that majority of the land is swamp land and there will be two new monuments on the updated property line.

Paul Piktelis made a motion to waive the requirement to provide a plan at a scale of 1' = 40 feet, Bruce DeVault seconded, voted unanimously.

Terry Burke Dotson made a motion to waive the requirement to set additional monuments, Paul Piktelis seconded, voted unanimously.

Mathew Ashmankas made a motion to endorse the plan of land on Stowe Road in Millbury, Massachusetts, prepared for the recorded owner, Amy Peterson, on page 343, at a scale of 1" = 60 feet, dated July 30, 2019, prepared by Tauper Land Survey, Inc., Paul Piktelis seconded, voted unanimously.

**7:25 p.m. Minor Modifications
 239 Riverlin Street
 Mid State Sewerage**

Robert Murphy, representing Mid State Sewerage, provided a progress update on the revisions of the as built plans. They showed the detail of the riprap at a slope of 3 to 1, per Stantec's recommendation. They have planted additional junipers bushes along the frontage of Riverlin Street. The waiver requested for use of re-processed pavement has been changed to ¾ inch processed stone and gravel to increase the perviousness of the driveway. The plan details the limits of paving around the drainage structures and the curbing at the entrance has been installed. The retaining wall has been installed at the right side of the building and the landscaping completed. Due to the change in construction, the detention basin did not need to be modified and the drainage has been approved by Stantec.

Ms. Connors stated that she received comments from Stantec on Friday, followed by Mr. Murphy's response. She indicated that she received the response from David Glen late this afternoon with additional questions.

Mr. Murphy detailed the specifications of the riprap and granite shoulder. The snow storage locations were relocated away from the wetlands. He stated that in the winter months there is not infiltration due to the fact that the gravel is frozen. He requested approval of the plan presented to the board.

Ms. Dotson recommended continuing the discussion until next meeting in order for all documentation to be reviewed by the Board and to review Mr. Murphy's request for the approval of the modifications to the plan recently submitted.

Paul Piktelis made a motion to approve the minor modifications for 239 Riverlin Street, as specified on the process site plan, updated September 9, 2019, Mathew Ashmakas seconded. Four in favor, Terry Burke Dotson opposed.

MILLBURY PLANNING BOARD

MINUTES

September 9, 2019

**7:50 p.m. Public Hearing – Multi-family Special Permit
208 North Main Street -Ben Pearson**

Ben Pearson, representing Pearson Development Corporation, reviewed the special permit application for a duplex building.

Ms. Dotson inquired about the width of the curb cut and access for the two units.

Mr. Pearson stated that the curb cut currently exists and it is 16 feet wide and confirmed the access location. He indicated that water and sewer is on the lot currently. He showed the pictures to the Board of the existing site.

Mr. DeVault inquired about the location of the driveway and the access on the property and Mr. Pearson indicated the location.

Chairman Gosselin recommended that there be adequate parking spaces to enable vehicular turnaround within the driveway area on the left side of the property. Mr. Pearson confirmed that he will update the parking based on the Chairman and the Board's recommendation.

Paul Piktelis made a motion to close the public hearing, Mathew Ashmankas seconded, voted unanimously.

Mathew Ashmankas made motion to waive Section 12.44 (c) the requirement to submit an isometric line drawing, Paul Piktelis seconded, voted unanimously.

Mathew Ashmankas made a motion to waive Section 12.44 (d) the requirement to submit a locus plan at a scale of 1"=100'. The lotus plan is at 1"=200, Paul Piktelis seconded, voted unanimously.

Mathew Ashmankas made a motion to grant the multi-family special permit and site plan review, subject to conditions A-L, Paul Piktelis seconded, voted unanimously.

**8:05 p.m. Minor Modification
West Main Street Solar**

Adam Farkes, represented CS Energy, requested a partial waiver for the fencing requirement. They proposed a combination of black mini mesh into the site from West Main Street and in the wooden area it would be galvanized fencing. He showed the updated plan to the Board.

Chairman Gosselin recommended installation of 2" black fencing throughout the whole property. Adam confirmed that they will update the plans and provide to the Planning Department.

Ms. Dotson inquired about security cameras and Adam confirmed they will be installed on the site.

Mr. Ashmankas inquired about the recent topping of the trees at the beaver dam area and Adam stated that due to potential weather conditions and if a tree uprooted it would damage the beaver dams. Mr. Ashmankas recommended installing rock in the slope area, and at the outlet for run-off protection.

Mathew Ashmankas made a motion to accept the minor modification for vinyl fencing in place of wood fencing with 2" mesh black fencing surrounding the exterior and 1" mesh black fencing at the front entrance, Paul Piktelis seconded, voted unanimously.

**8:15 p.m. Public Hearing Con't – Open Space Community Site Plan Review
Clearview
Eastland Partners, Inc.**

Chairman Gosselin inquired about the sidewalks, and wanted confirmation as to which side of the road they would be located.

Chad Boardman, Eastland Partners, confirmed that the majority of the sidewalks will be on the opposite side of the units. He clarified the installation of a Mass Highway berm with the grass surface and concrete sidewalks are planned. There will be a 15 MPH speed zone within the community.

MILLBURY PLANNING BOARD

MINUTES

September 9, 2019

Ms. Dotson stated that walking in the community will be a concern due to the location of the sidewalk being across the street for the residents.

Ms. Connors explained the changes to the decision. A letter and sketch were received today detailing Martin Street and Park Hill Avenue. Also received was the updated memo from the traffic engineer. She noted that the voting at this hearing is for site plan approval and there will be a subdivision plan review process in the future. The waivers will be voted on during the definitive site plan approval. Based on Chairman Gosselin's comments, under condition (f) number 6, details of measures will minimize traffic and safety impacts at the Martin Street and Main Street intersection. Work shall be performed within the limits of the roadways and with no costs to the Town of Millbury. Also under condition (g) number 4, details of all improvements to public ways that will be required as part of the definitive plan approval shall be completed prior to issuance of an occupancy permit for dwellings within the Clearview Open Space Community.

Chairman Gosselin requested all roadway improvements be completed prior to issuance of the construction permit.

Mr. Boardman stated that they are working on detailed plans for Park Hill Avenue. Ms. Connors read the condition (f) number 6 detailing the Park Hill Avenue improvements. Mr. Boardman confirmed that the engineering plans for Park Hill Avenue will be provided for definitive subdivision review.

Ms. Dotson inquired about the developer addressing the Rte. 20 traffic and Mr. Boardman confirmed the updated traffic plan and that MASSDOT will be adding the left lane turn at the intersection of Park Hill Avenue and Rte. 20. Chairman Gosselin expressed concern about changing Martin Street into a one way street and Mr. Boardman stated that it was included as an option to cut down on the traffic for that area.

Tom Fischer, Director of the Contractors Training Center, 13 Holman Road, expressed concern about the traffic for the school and the 4-way stop. He has spoken to the neighbors and all have expressed similar concerns. He stated that no one has inquired with him about their school traffic which is five days a week with AM and PM traffic. He wanted to state for the record his concerns about the traffic so that five or six years from now it is not expressed that the training center is the root of the traffic issues. Ms. Dotson inquired on the current utilities and Mr. Fischer confirmed that the site has natural gas and water.

Todd Miles, 40 Park Hill Avenue, addressed concern about the high school traffic on Martin Street.

Raymond Kelley, 2 Wheldon Drive, requested clarification of the Rte. 20 traffic update and Mr. Piktelis commented that the state is looking into that intersection. Chairman Gosselin stated that the State will be repaving the roadway and a painted lane for left turn on the westbound side. In the long term, the State will be improving the entire area and widening the roadway.

Mr. Kelley requested clarification regarding the one way on Martin Street and Chairman Gosselin indicated that the suggestion was not being able to take a left onto Martin Street.

Chairman Gosselin stated that there is currently an easement for the roadway and the Town will not be taking private land and that the swales will be eliminated.

Bruce Jardarian, 4 Weldon Drive, inquired if they will address Park Hill Avenue improvements before the construction on the Clearview site. Chairman Gosselin indicated that the plan will need to be approved prior to developing the site. The plan is to have the roadway rebuilt. Mr. Jardarian requested to have arborvitae planted if the existing trees are removed between the golf course and Wheldon Drive.

JoAnn Luikey, 71 Park Hill Avenue, asked for clarification about the third lane at the intersection of Rte 20 and Park Hill Avenue and Chairman Gosselin indicated that the traffic engineers and MASSDOT will be addressing that intersection.

Ms. Luikey expressed concern about the traffic on Park Hill Avenue during construction and Chairman Gosselin stated that the street will not shut down for any extended period, and Police/DPW departments will be notified during roadway interruption.

Mr. Boardman referred to the draft decision (g) #4 condition, the wording regarding completion of roadways and Chairman Gosselin requested that the Board receive the engineering plan which will detail all roadway improvements.

Ms. Connors indicated that the definitive plan process will detail the phases of the project. Chairman Gosselin requested that the wording for that condition be updated to state that, as detailed in the definitive plan.

Mr. Boardman referred to the (f) #5 condition and the traffic study and Rte. 20, and Ms. Connors stated that they have not provided any information for Park Hill Avenue north of the development towards Rte. 20. The Town traffic regulations require providing traffic information for all streets within a 1000 feet of the subdivision.

MILLBURY PLANNING BOARD

MINUTES

September 9, 2019

Mr. Boardman stated that he was under the assumption that the traffic study was completed to include the roadway north of the development and indicated that MASS DOT would handle the Rte. 20 intersection.

Ms. Connors requested the updated traffic study include the volume of traffic of all Park Hill Avenue intersections including Wheldon Drive and the Contractor's training center.

George Andersen, 69 Park Hill Avenue, expressed concern and the possibility of a stop sign at top of the hill northbound after the high school. Chairman Gosselin noted that once the roadway is widened, the road will be safer. Mr. Boardman stated that Park Hill Avenue is one of the main concerns, as is updating the condition of the roadway. The intent is to repair the swales on the roadway.

Raymond Kelley, 2 Wheldon Drive, made a request to relocate the proposed stop sign location.

Mr. Jardarian inquired if sidewalks would be constructed on Park Hill Avenue and Mr. Boardman stated that there is not plan to install sidewalks.

Mr. Miles inquired about the construction timeframe of Park Hill Avenue improvements and the bond for the project.

Ms. Connors stated it is tied to occupancy permits, lot releases and a covenant in place.

Paul Piktelis made a motion to close the public hearing, Mathew Ashmankas seconded, voted unanimously.

Paul Piktelis made a motion to approve the notice of decision of application of site plan approval for an Open Space Community called Clearview, subject to conditions a-g, Bruce DeVault seconded, voted unanimously.

**9:25 p.m. Public Hearing Con't – Marijuana Establishment Special Permit
12 Latti Farm Road
Greencare Therapeutics, Inc.**

John Dunne, representing Co-Grow, indicated that the consultant neglected to update the date on the revised report. The added information was in reference to the chillers and generators running simultaneously.

Ms. Dotson expressed concern about the noise level at the facilities and Ms. Connors stated that the generator will work in the event of no electricity.

Ms. Dotson referred to the verbiage that the Cogen and chillers will be heard at the facility. She recommended to include additional noise abatement in the order of conditions.

Kurt Parks, representing EnviroTech Consultanting, commented on the application for the industry odor. A three-source solution will be used and it is comprised of essential oils. Within the building the proposed rooms are sealed and there is no outdoor air and will be recirculating air handling system. When the door is opened the facility will be put on a negative pressure, a fan will turn on and the system will omit the essential oil compounds. The system was selected due to working with open air odor. There are similar measures in place at waste treatment centers.

Ms. Connors inquired about any facilities using this specific system in or in the vicinity of Massachusetts and Kurt confirmed that there are several in New England.

Mr. Dunne will provide an updated listing of the New England facilities for the Planner.

Chairman Gosselin inquired about the odor present in the building and on the fabrics of the people working in the facility.

James Nelson, Head of Cultivation, stated that the employees will be wearing scrubs in the workplace and will change into street clothes prior to leaving the building.

Mr. Ashmankas inquired about the negative atmosphere within the building, will it be a single door or at all access points. Mr. Parks stated that it is triggered upon the door opening. Mr. Dunne added that the cultivation will be done in modular rooms isolated within the facility. The offices and the work areas will be located outside the cultivation doors.

Chairman Gosselin inquired and Mr. Dunne confirmed that the discharge does not vent to outside and is contained in the building.

Mr. DeVault inquired and Mr. Dunne confirmed that it is a clean room.

Raymond Kelley, 2 Wheldon Drive, expressed concern about the door triggers and what will happen in situation of power loss. Chairman Gosselin indicated that the backup generators will be installed.

MILLBURY PLANNING BOARD
MINUTES
September 9, 2019

Ms. Dotson inquired about the delivery truck product pickups and Mr. Nelson confirmed that before the product leaves the facility it will be double sealed in packaging.

Ms. Dotson inquired about the process of loading the trucks and Mr. Nelson confirmed the location of other clean rooms for packaging and shipment.

Bruce Jardarian, 4 Weldon Drive, recommended that the Board visit other facilities to review all aspects of operation; generators, packaging, and day to day operations. Mr. Dunne will provide the listing of facilities to the Planning Director.

Chris Naff, Board of Selectman, stated that they have been working with the applicant since December and they provide all information when requested. He requested the Board make a decision at this meeting.

Ms. Connors stated that this is a potential major impact to the Town and the abutters and the Board should have adequate time to review all documentation received prior to the meetings.

Mr. Dunne stated that the paperwork was received and detailed the odor impact at this meeting. He requested the Planning Board close the public hearing at this meeting.

Chairman Gosselin recommended additional time for the Board to review all the documentation recently received.

Eli Leino, represented Mayer, Antonellis, Jachowicz & Haranas, referred to the draft decision, section 8, (i), the occupancy permit and bylaws, and in their impact statement pages 3 & 4 it detailed the odor mitigation. He asked for clarification of the requirements for the emission compliance plan.

Ms. Connors stated that it referred to the comment letter received from the building inspector and his request to verify that it covered a range of 200 feet. She will speak with him and confirm the plan for clarification.

Ms. Dotson inquired about the other business in the area to visit. Mr. Leino clarified that the specified locations are not run by the applicant. Mr. Dunne confirmed that they provided numerous case studies on how the systems operate.

Paul Piktelis made motion to continue the public hearing to 7:30 p.m. on September 23, 2019, Mathew Ashmankas seconded, voted unanimously.

**10:05 p.m. Minor Modification
 Target**

Todd Magtera, represented Target, detailed the program for the store drive up, customers would order on the app and the Target staff delivers the order to the customer in a designated parking spot. They are estimating an average of 30 trips per day using this service.

Ms. Dotson inquired about the location of a drive thru and Mr. Magtera indicated it is a pick-up service provided by Target staff.

Mr. Magtera indicated that it would entail new Target signage, CVS sign and improvements by the main entrance.

Ms. Dotson asked if the laminated sign is to be updated and Mr. Magtera confirmed that there will be no change to the monument signage.

Terry Burke Dotson made a motion to approve the minor modifications, Paul Piktelis seconded, voted unanimously.

**10:10 p.m. Partial Release of Performance Guarantee
 Autumn Gates Estates
 Bob Gallo**

Bob Gallo, represented Gallo Builders, he requested the partial release of the existing performance guarantee. Chairman Gosselin expressed concern about the existing slope of driveways and sidewalks.

**MILLBURY PLANNING BOARD
MINUTES
September 9, 2019**

Ms. Connors indicated that she has received several resident complaints. She instructed Stantec to inspect the resident complaints and some of the driveways exceed the fifteen percent slope.

A discussion ensued about the driveway slopes and Mr. Gallo disputed the complaints and the condition of the driveways. Ms. Connors proposed retaining monies for the driveway curb cuts and recorded drawings.

Chairman Gosselin recommended the release and requested that roughly 20% remain on the guarantee. Ms. Connors commented that there was a condition for phase one in regards to the sidewalk repair and Mr. Ashmankas commented that the panels were repaired for Phase I. Ms. Connors recommended including verbiage granting a waiver from the ADA compliance for the first phase.

Bob Gallo stated that the panels have been corrected and they conform to the ADA regulations. He provided a letter from the land surveyor. Ms. Connors requested to receive a stamped letter from the land surveyor. The amount of \$112,305.00 is in contingency plan.

Paul Piktelis made a motion for release in the amount of \$464,969.08 with the amount of \$112,305.00 to remain, Mathew Ashmankas seconded, voted unanimously.

10:27 p.m. New Business

34 Grafton Street – Discussion of Proposed Sign

Ms. Connors received the signage specifications from Chris Windle. The two options were presented to the Board. The proposed signage has a decorative top and it is 11 high and 8 wide.

Chairman Gosselin stated that it was previously recommended with a lower design. Mr. Ashmankas inquired and Ms. Connors confirmed that the current sign is roughly 16 feet in height.

Mr. Piktelis inquired and Ms. Connors confirmed the sign will be lit externally.

Ms. Dotson liked the sign design with the street number on the top and Mr. Ashmankas concurred.

Ms. Connors stated that they want to maintain the 30 inches from the ground.

Chairman Gosselin recommended that the signage not exceed 11 feet from the ground.

The Board members approved the signage with the decorative top. Mathew Ashmankas made a motion to approve the proposed 11 foot sign for 34 Grafton Street, Bruce DeVault seconded, voted unanimously.

Minutes

Paul Piktelis made a motion to accept the minutes of June 17, 2019, Mathew Ashmankas seconded, voted unanimously.

Paul Piktelis made a motion to accept the minutes of June 24, 2019, Mathew Ashmankas seconded, voted unanimously.

Mathew Ashmankas made a motion to accept the minutes of June 10, 2019, Paul Piktelis seconded, voted unanimously.

MILLBURY PLANNING BOARD
MINUTES
September 9, 2019

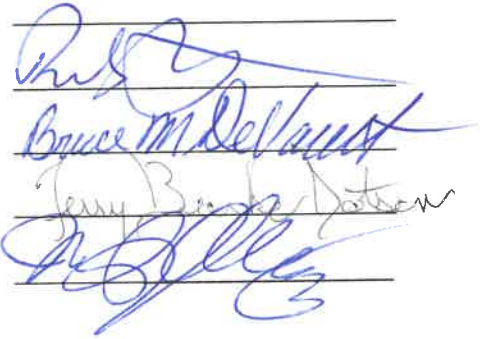
Adjournment

Mathew Ashmankas made a motion to adjourn, seconded by Paul Piktelis, voted unanimously. Meeting adjourned at 10:32 p.m.

Respectfully submitted,

Stephanie Collins

ATTEST:


The block contains four handwritten signatures in blue ink, each written over a horizontal line. The signatures are: 1. A stylized signature that appears to be 'Paul Piktelis'. 2. A signature that appears to be 'Bruce M. DeLauro'. 3. A signature that appears to be 'Jerry B. ...'. 4. A signature that appears to be 'Stephanie Collins'.