

**MILLBURY PLANNING BOARD  
MINUTES  
November 16, 2020**

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The regularly scheduled meeting of the Millbury Planning Board was held on Monday, November 16, 2020 at 7:15 p.m. via Zoom remote participation, 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/download. Chairman Richard Gosselin presided.

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

**7:15 p.m.            Public Hearing Con't – Definitive Subdivision for an Open Space Community  
Clear View – Off Park Hill Avenue  
Eastland Partners, Inc**

Steve O'Connell, representing Eastland Partners, stated that the written response has been submitted to Laurie Connors.

Mat Ashmankas inquired if the water line will be run up to Weldon Drive.

Terry Burke Dotson stated that she was disappointed that there will be no affordable units at the project.

Paul Piktelis inquired whether the utilities will be run up Park Hill Avenue to the entrance of the project. Bruce DeVault stated he has a similar concern.

Logan Hoffman, representing Eastland Partners, stated that they have met the regulations for the town and have addressed the Boards comments.

Fran DeSimone, 1 Weldon Drive, expressed traffic concerns.

Chairman Gosselin inquired and Laurie Connors confirmed that radar speed signage will be installed and the verbiage will be included in the decision. Ms. Connors requested clarification on the conditions on the approval.

Bruce Jardarian, 4 Weldon Drive, expressed concern regarding the water brought up Park Hill Avenue and Ms. Connors confirmed that the service will be brought up to the entrance of the project. He also inquired as to the location of the repeater pole on the property. Ms. Connors stated that the pole will be installed in the rear of the property.

Discussion ensued regarding the widening of the roadway and Ms. Connors stated that the roadway will be widened to 24 feet and the verbiage is included in the decision.

Discussion ensued regarding the construction timeframe and Mr. Hoffman stated that the projected timeframe will be four years.

Mr. Jardarian inquired and Ms. Connors detailed the condition regarding the buffer vegetation and preservation of existing trees.

Mr. Kelley inquired and Ms. Connors confirmed that she will be conducting site visits to review the vegetation and abutter privacy.

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Elaine Racicot, 5 Weldon Drive, requested and Ms. Connors read for record the email received regarding her concerns with the project and traffic on Park Hill Avenue.

Ms. Connors read for the record the letter received from Chief of Police Donald Desorcy.

Chairman Gosselin inquired and Mr. O'Connell confirmed that the hydrant will be located at the first entrance of the project.

John Racicot, 5 Weldon Drive, inquired as to the possibility of an additional access point connected to the Hayward Glen Subdivision. Mr. Hoffman confirmed that the project would not include additional access to that subdivision.

Discussion ensued regarding potential fire response due to the hydrant proposed at the entrance of the project.

Ray Kelley, 2 Weldon Drive, inquired about the proposed blasting and the process regarding potential abutter property damage.

Ms. Connors stated that the blasting permit would be acquired through the Fire Department and all structures within 500 feet would be surveyed prior to blasting. There will be pre and post surveys completed and after the blasting the abutters will have thirty days to report an issue to the Fire Department.

John Racicot, 5 Weldon Drive inquired about the process for abutters beyond the 500-foot area to report damage. Mr. Hoffman stated that they will be complying with the Town and State regulations.

Mr. Hoffman confirmed that the water will be brought up to the corner of Weldon Drive and a hydrant will be installed.

Discussion ensued regarding the possibility of having affordable units in the development and Mr. Hoffman confirmed that this project will not include affordable units. He stated that they have agreed to extend the water up to Weldon Drive and complete the improvements to Park Hill Avenue.

John Racicot, 5 Weldon Drive, inquired again about the potential for a future access point to Haywood Glen. Ms. Connors confirmed that the land abutting the Hayward Glen Subdivision will be deeded to the Millbury Conservation Commission.

Paul Piktelis made a motion to close the public hearing, 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.

Mat Ashmankas made a motion to waive the requirement to create lot lines, 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 a motion to waive Section 5.3(1)(n) requirement to perform soil surveys and/or test pits or borings every 100 feet along proposed roads, 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.

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Mat Ashmankas made a motion to waive Section 5.3(5)(b) requirement to show existing and proposed topography at 1' contour intervals. Contours shall be shown at 2' intervals. 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 a motion to waive Section 6.7(6) requirement to reduce the paved width of sub-collector streets (Clearview Terrace) to 24 feet and interior roadway paved widths (Logan's Run, Horizon Drive and Pinnacle Way) to 20 feet, 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 a motion to waive Section 6.10 requirement to install MASS DOT berm in lieu of vertical granite curbing, Paul Piktelis seconded, and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, and Bruce DeVault in favor, and Terry Burke Dotson against, the vote was approved 4-1.

Discussion ensued regarding eliminating the sideway around the cul-de-sac. Mat Ashmankas stated that sidewalks were required for every cul-de-sac decision that he has reviewed. Ms. Connors referred to the letter received and the development impact statement requesting the elimination of sidewalks around cul-de-sacs.

Mat Ashmankas made a motion to waive Section 6.13 sidewalk requirement to permit construction of sidewalks along one side of sub-collector streets instead of both sides, and the requirement to install a sidewalk around the cul-de-sac on Horizon Drive and Pinnacle Way. Paul Piktelis seconded and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, Terry Burke Dotson and Bruce DeVault voted against, the motion was denied 0-5.

Ms. Connors read the condition on the sidewalk waiver.

Mat Ashmankas made a motion to waive Section 6.19 street lighting requirement to adjust the locations of streetlights to be placed as close as possible to hydrants, per email from Millbury Fire Chief/Rich Hamilton, dated July 31, 2019. 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 a motion to waive Section 6.20 fire hydrants requirement to adjust the locations of fire hydrants according to the plan provided by Millbury Fire Chief/Rich Hamilton via email, dated July 31, 2019, 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 a motion to waive the Section 6.75 Cul-De-Sac diameter requirement to reduce the cul-de-sac diameter to 120' with a landscaped island with a 20' radius. Paul Piktelis seconded and on a roll call vote with Rich Gosselin, Mat Ashmankas, Paul Piktelis, and Bruce DeVault in favor, and Terry Burke Dotson opposed, the vote was approved 4-1.

Ms. Connors reviewed the condition C(1)(K). She stated she received an email from Stantec which requested additional language with regard to the drainage and impact of the modified Cape Cod berm on the west side of Park Hill Avenue.

Ms. Connors reviewed condition M(2), regarding the flashing yellow and red signal. Mr. Ashmankas stated the request to strike the condition.

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Ms. Connors reviewed condition L. She stated she will include the verbiage that once the funds to maintain the trails have been exhausted, the HOA will fund the ongoing maintenance. Mr. Askmankas and Mr. Piktelis agreed.

Ms. Connors stated that condition D will include the requirement that the applicant extend the water main to the intersection of Park Hill Avenue and Weldon Drive. Chairman Gosselin requested, and Ms. Connors confirmed, that the verbiage will be updated to state that the water main will be extended to the side line of Weldon Drive.

Ms. Dotson inquired and Ms. Connors confirmed that condition I is the donation of \$50,000 to the Town of Millbury for upgrades to Windle Field. Ms. Connors stated that the condition will be updated to state that the purpose is for improvements to the Town's playgrounds.

Paul Piktelis made a motion to approve the Notice of Decision on application of Definitive Subdivision for an Open Space Community, Clearview, subject to conditions a – ff. 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.

Mat Ashmankas made a motion to approve the Certificate of Rescission of Approval of application for the subdivision plan entitled 'Clearview Estates: A Definitive Subdivision Plan in the Town of Millbury', dated June 10, 2005, as amended 12/21/06, plan prepared by Heritage Design, 1 Main Street, Whitinsville, MA, registered plan in Book 857, Plan 69 in Worcester Registry of Deeds. With respect to definitive plan, 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.

Mat Ashmankas made a motion to approve the Notice to Release Definitive Subdivision Covenant, Town of Millbury undersigned, executed by Statewide Realty Management Inc., dated January 8, 2007, registered at Worcester Registry of Deeds Book 41294, Page 32, no longer in effect. Said release being given in consideration of the Planning Board's issuance of a Certificate of Rescission of Approval of the definitive subdivision of land entitled "Clear View Estates, A Definitive Subdivision Plan in the Town of Millbury, Massachusetts", dated June 10, 2005, as amended through December 21, 2006, plan prepared by Heritage Design Group, 1 Main Street, Whitinsville, MA, and recorded with the Worcester Registry of Deeds in Plan Book 857, Plan 69. 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 a motion to adjourn, seconded by Paul Piktelis. 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 10:10 p.m.

Respectfully submitted,

Stephanie Collins

ATTEST:

