

**MILLVILLE PLANNING BOARD
MEETING MINUTES**

**Millville Town Hall
290 Main Street**

March 12, 2018

Board Members Present: Chairman John Hadley, Vice Chairman Richard Hurteau, Claudette Barrett, Michelle DuMond. Brian Mullaly was unable to attend.

Also present was Eli Goldman, Planning Assistant from Central Massachusetts Regional Planning Committee.

Minutes

Mr. Hurteau explained that Mr. Hadley was running late. Neither Ms. Barrett nor Ms. DuMond had reviewed the minutes therefore they would pass on acceptance of minutes. Ms. DuMond also stated that she had changed her email address.

On a motion made by Richard Hurteau and seconded by Claudette Barrett, the Board voted 5/0 (Hadley, Hurteau, Mullaly, Barrett and DuMond in favor) to postpone acceptance of the minutes.

Public Forum

Mr. Goldman stated that there was a gentlemen looking to move his business from Attleboro to Millville and would like to know the process. Mr. Hurteau suggested consulting the Millville website and Mr. Goldman gave him a Development Guidelines packet. (NB: Ms. Carney actual met with the gentleman and his wife in the office in January and discussed his options in detail.)

Planning Board Forum

Mr. Hurteau wanted board members to be aware that he was looking at the Board of Selectmen's and the Planning Board meeting minutes and thinks Mr. Mullaly was appointed illegally. He felt there should have been a mutual vote. He cited the September 5, 2017 BOS meeting minutes that stated two people were seeking the Planning Board appointment. He also stated that the Planning Board never got a letter from Mr. Mullaly stating he was seeking the position. Ms. DuMond stated that she believed that Mr. Mullaly gave such a letter to Town Administrator, Jennifer Callahan just before the BOS's meeting. If determined that Mr. Mullaly was appointed illegally to the Planning Board then every vote that Mr. Mullaly was involved in could be called to question. Mr. Hadley stated that he would take this item to Ms. Callahan about getting on the Selectmen's agenda to discuss this issue and will notify Board members if and when they are placed on an agenda.

Carriage I Estates

Mr. Hurteau recused himself from the Planning Board to discuss his development project, Carriage I Estates. He wanted to discuss what he felt was differential treatment regarding the construction of his roads vs. other contractors. Mr. Hadley asked if he had discussed the issues

 **APPROVED**
April 9, 2018

with Mr. Mullaly, the Highway Superintendent, to which Mr. Hurteau stated that he had not. Mr. Hurteau claims that both Mr. Alfonso and Mr. Paige were notified when their work was deemed substandard, but he was lead to believe the paving at his development was fine when it was not, stating that Mr. Mullaly was present. Mr. Hurteau acknowledged that there are cracks in the pavement on Ronden Road because the temp of the pavement was incorrect, which was noted by the Town's engineering firm during a deficiency inspection. It was recommended that the top coat of pavement be milled before re-paving as a remedy. Carriage II Estates had a similar problem with asphalt put down at the wrong temp. Mr. Hadley stated that the Planning Board had agreed to allow them to raise the structures and pave over the substandard layer of asphalt. Mr. Hurteau stated that he had spoken to engineers who did not recommend paving over a substandard layer of pavement. Ms. Barrett stated that she thought that Mr. Mullaly, as Highway Superintendent should be on a future agenda, so this issue can be resolved. Mr. Hadley suggested that Mr. Hurteau discuss his issues with Mr. Mullaly as soon as possible. Mr. Hurteau questioned the expense of a final inspection if he repaired the cracks and repaved the road; he wanted to move forward for road acceptance at the Annual Town Meeting in May. Ms. DuMond asked if it was possible for the Planning Board to vote to allocate money so that Mr. Hurteau could finish the road work. Mr. Hurteau asked if the Planning Board would be willing to reduce the guarantee bond to Four Thousand (\$4,000.00) Dollars, freeing up the balance being held so he could use that money to do the roadwork. Mr. Hadley stated that the first step should be for Mr. Hurteau to discuss the issues with Mr. Mullaly. Ms. Barrett suggested adding a special meeting so that Mr. Hurteau and Mr. Mullaly could discuss these issues, to which Mr. Hurteau again raised the question of Mr. Mullaly's legality on the Planning Board. Mr. Hadley stated the real questions was why Mr. Mullaly allegedly did not stop the work being done on Carriage I roadways. Ms. Barrett stated that she would like have a joint meeting with both the BOS and the Planning Board to discuss the appointment of Mr. Mullaly and the road construction issues at Carriage I Estates. Ms. DuMond suggested that they vote to reduce the bond, to which Mr. Hadley stated that he did not think that the Planning Board could supersede the Highway Superintendent.

A motion was made by Claudette Barrett and seconded by Michelle DuMond to allow Mr. Hadley to set up a meeting on either March 19, 2018 or March 20, 2018, depending on Mr. Mullaly's availability to discuss the paving issues surrounding Carriage I and Carriage II Estates, the Board voted 4/0 (Hadley, Hurteau, Barrett and DuMond in favor).

Information Request

Mr. Hurteau has been researching current zoning bylaws and would like a list of people in violation of zoning laws and not currently in litigation. He was told by Town Council that it would cost Three Hundred Seventy Two (\$372.00) Dollars for staff to conduct the research he requested. His point was that before new zoning bylaws are passed they should determine if the current bylaws are being enforced. Mr. Hadley pointed out that the Planning Board did not enforce zoning bylaws but rather the Zoning Enforcement Officer, Lincoln Barber. Ms. DuMond stated that she would like to work with the BOS; Mr. Hadley stated that if there is an issue put it in writing and give it to the Building Inspector/Zoning Officer; he will not follow up on a complaint unless it is in writing. Everything is up to the Zoning Officer's interpretation of the Zoning Code.

Planner's Update

Mr. Goldman brought everyone up to date on his progress with the Marijuana bylaw. He also asked if anyone had completed the survey for the Open Space Recreation Plan (no).

Mr. Hurteau made a motion to adjourn the meeting which was seconded by Ms. Barrett. The Board voted unanimously to adjourn the meeting at 8:42 PM.

Respectfully Submitted,

Hillary Young Carney
Town Planner




John Hadley, Chairman



Richard Hurteau, Vice Chairman

Claudette Barrett



Michelle DuMond

Accepted 4/9/18

