



PLANNING BOARD MINUTES

Millville Senior Center

April 24, 2017

The meeting was opened at 7:02 p.m. Members present: John R. Hadley, Richard R. Hurteau, Claudette Barrett and Michele DuMond. Planner, Hillary Young Carney, was also present. Members Absent: None. Public attendance sign-in sheet attached.

Hurteau made a motion to approve and sign the minutes of 4/10/2017, DuMond seconded and the vote was unanimous. Hurteau made a motion to sign two vouchers (planner, secretarial), there was no second and the motion failed. DuMond questioned two meetings attended by the planner, Carney. Barrett stated that Board members were not aware she was going to these meetings; since the Board didn't send her, then it wasn't on Board business. Hurteau made a motion to sign the secretarial voucher and DuMond seconded. The discussion regarding planner timesheet/voucher continued. The planner voucher before the Board only includes attendance at the BOH meeting; the next voucher will include attendance at the BOS meeting. The vote was unanimous on the secretarial voucher. The planner voucher was tabled to the end of the meeting.

Correspondence – The following correspondence was received and read aloud:

1. Two public hearing notices from the Uxbridge ZBA.
2. Letter from K.P. Law, dated April 2017. Hurteau made a motion to table discussion, Barrett seconded and the vote was unanimous.

23 Bow Street – Steven and Karin Furno were present to inquire whether they needed a Special Permit or not, in order to keep two miniature goats as pets. They are Nigerian dwarf goats that are de-horned, castrated and will not exceed 65 pounds each when full grown. Their droppings, which are little pellets, will be disposed of at a friend's farm. They shouldn't be considered agricultural, as they are pets. Planner Carney stated that they are still goats, so would need a Special Permit. Hurteau suggested getting a ruling by the Building Inspector. The Special Permit fee and other expenses, as well as the Schedule of Use, were reviewed with the Furno's.

Public Hearing; Accessory Apartments – The hearing was opened 7:29 p.m. with the reading of the legal ad, as it had appeared in the Worcester Telegram & Gazette. Language was clarified in this section of the Zoning Bylaws, as to the square footage allowed for accessory apartments. There was no discussion. Hurteau made a motion to close the hearing at 7:38 p.m., DuMond seconded and the vote was unanimous. Hurteau made a motion to approve and recommend this accessory apartment bylaw amendment, DuMond seconded and the vote was unanimous.

Public Hearing; Marijuana Moratorium – The hearing was opened at 7:39 with the reading of the legal ad, as it had appeared in the Worcester Telegram & Gazette. The State is not ready with legislation on this matter, thus this bylaw will give the town more time to plan and receive direction from the State. There was no discussion. Hurteau made a motion to close the public hearing at 7:43 p.m., Barrett seconded and the vote was unanimous. Hurteau made a motion to approve and recommend this marijuana moratorium, Barrett seconded and the vote was unanimous.

Public Hearing; "Afonso Estates" Road Acceptance – The public hearing was opened at 7:44 p.m. with the reading of the legal ad, as it had appeared in the WT&G. Paulette Way and Twin Pond Circle were up for town acceptance. The BOS had struck all road acceptance articles at its last meeting, as it had felt that the projects would not be completed in time. Mr. Dominic Afonso, developer, stated that he was working on the subdivision today and was coordinating with the highway surveyor to pump out the catch basins. Engineer Normand Gamache provided a brief history of the subdivision, which had originally been approved in 2001. This part of "Afonso Estates" is known as Phase II and the streets up for acceptance are the last two of this subdivision. Selectperson Wing stated that waiting on road acceptance for several months will show how it holds up. Selectman Roland Barrett stated that the road was finished last year so had already wintered and we can see how it is holding up. The catch basins were completed about 2010. Selectman Alward asked when Mr. Afonso would be finished with all the items on the town engineer's "to do" punch-list. Mr. Afonso responded that he would be entirely done by Monday, which was one week from today. Resident Tim Reilly stated that the sign at the top of Paulette way needs to be replaced, as it is faded. Afonso stated that he will look into it. The resident inquired about street sweeping. The response was that it was up to the developers to complete this before road acceptance. He then mentioned that there was sand near the last house; he was told that it was already on the engineer's report. Street acceptance should be revisited in mid-September, in preparation for fall special town meeting. Hurteau made a motion to close the public hearing at 8:07 p.m., Barrett seconded and the vote was unanimous. No recommendation was made as it was a moot point.

Public Hearing; "Carriage Estates" – Hurteau stepped off the Board at 8:07 p.m. The public hearing was opened at 8:08 p.m. with the reading of the legal ad, as it had appeared in the WT&G. The article for these roadways was also struck at the last BOS meeting. Mr. Herrick, a resident, asked how far up Albert Drive was actually part of "Carriage Estates." Developer, Richard Hurteau stated that it was about 100'. Mr. Hurteau stated that the town engineer's punch-list report was requiring a 5 foot sidewalk width; however, the original plans were approved for 4 feet. He added that the 5 foot width is mentioned in the "typical" drawing that was added to the subdivision regs from a State manual, to show what sidewalk construction should look like. The plans had been signed and dated on 12/9/02; a copy will be obtained for reference. Highway surveyor, Brian Mullaly, stated that a 4 foot width was fine; that just paving needed to be finished and that the detention ponds were working fine. Carney stated that they were overgrown and some trees and overgrowth needed to be removed. The developer stated that a subsidiary of Bevilacqua would be doing the paving. The highway surveyor stated that there was groundwater running over the curbing at the area of the "for sale" lot. The developer responded that he was aware of the issue and that it would be taken care of within 30 days. The highway surveyor stated that he felt Ronden Road should be wintered over and not be up for acceptance this fall. Selectman Barrett stated that this article was stricken by the BOS without the Planning Board reviewing or even receiving the town engineer's report. DuMond made a motion to close the hearing at 8:26 p.m., Barrett seconded and the vote was unanimous. No recommendation was made as the point was moot. Hurteau stepped back onto the Board at 8:28 p.m.

There was a brief discussion regarding the striking of the road acceptance articles by the Board of Selectmen. Selectman Roland Barrett said that he had been at a wake that meeting, but that the articles should not have been stricken. This was a repeat of about a year and a half ago, when the BOS also struck two articles and the Planning Board had written a lengthy letter on the matter to the BOS. Planning Board member Claudette Barrett stated that the BOS had "stepped on the Planning Board's toes again". Selectperson Wing stated that they felt it was down to the "eleventh hour" again. Barrett asked why the town had a Planning Board at all. Hadley stated that it was the board's prerogative to strike articles. Barrett answered that it was "not the point;" the Planning Board should have been the one to strike it if it was necessary, not the BOS. DuMond asked if the Planning Board were to put another road article on the warrant again and feel that there was sufficient time to complete the roadway, would the same thing still happen again where it would be stricken by the BOS. Selectperson Wing answered that they would look at it case by case, etc.

There was a discussion regarding Planning Board members not receiving copies of the engineer's report on the roads that had been up for road acceptance. The Chairman was sent a copy by email, but it was not brought up at a Planning Board meeting or at the hearings, but the BOS already had copies at their meeting. Carney said that she had emailed copies to all the Planning Board members; however, they stated that they did not receive it, except for the Chair, who stated that he had received it, but was unable to "open" the email document. Selectman R. Barrett stated that the BOS receives email copies of their meeting packets, as well as, a hardcopy package that they can pick up. DuMond requested that all copies of projects the planner is working on, as well as, the material for the next meeting be provided to Board members. She also wanted all emails sent to the chair by the planner, to also be forwarded to her and board members, as well. It was mentioned that the cost of mailing packets would be high, thus it was agreed that meeting packets would be prepared by and picked up from the planner, as well as, be emailed to planning board members.

Planner's Update – Complete Streets - Carney had met with Mike Meyers of T.E.G. regarding the "complete streets" project.

Planner Meeting - Carney had also attended a planner's meeting the previous Friday regarding \$10 Million being given to Littleton as an MBTA grant; adding that it did not involve/concern Millville at all.

Railway - DuMond inquired into getting a railroad station into Millville, as this matter has come up several times in the past. Selectman Barrett responded that the railroad people were supposed to have come to the BOS meetings, but had never attended. However, he felt it was worth looking into this subject again. Hadley added that a company called Gennessy Wyoming had purchased the rail company.

"Carriage Estates II" – the bond expires on 5/15/17. Carney stated that the developer had tried to send his daughter to pay the bonding insurance company, but the check would not be accepted this early. He has now placed the payment for the bond in a money order so that when the bill comes due, Cove Insurance would take care of it. DuMond asked if she could receive a copy of this by email; Carney answered yes. Hurteau was concerned about the bond renewal, as Carney was leaving on a 10 day vacation.

Board of Health meeting/hearing- DuMond was concerned about the Paige, 32 Albert matter. The BOH was addressing an addition that was to potentially have more bedrooms than the septic design allowed. DuMond had been present for this meeting and stated that a BOH member had deliberated on the matter and then voted on it, after which she divulged a possible conflict of interest, as her son worked for the owner's husband, Bob Paige. Carney, who had been asked by the town administrator to attend, replied that the BOH was rectifying the situation and that the vote would now be 2 in favor with one

abstention. DuMond also had an issue with the BOH agreed-upon deed restriction being dropped off at the police station lobby for signing. She asked if a copy was available and was told it could be obtained online off the Worcester Registry's website.

Hadley brought up the tabled planner voucher. There was a discussion regarding the planner's attendance at both a BOH meeting and a BOS meeting regarding warrant articles. The point was being made that if the BOS or the town administrator asked her to attend a meeting or do something, then it should be up to the Planning Board to pay her for that time. Hadley stated that it was his understanding that the planner was in attendance at those meetings on Planning Board business. After further deliberation, Selectperson Wing stated that the employee had to be paid for hours worked; that it would be a serious violation if payment were withheld. Hadley states that he would entertain a motion to sign the planner's voucher. Hurteau made a motion to sign the voucher and Barrett seconded the motion, as the Board had actually been aware that the planner was going to attend the BOH meeting. DuMond stated that she still had a problem with the matter, as attendance was requested by the town administrator, not the Planning Board. The vote was three in favor and one abstention (DuMond). Carney added that she had added money to the proposed FY'18 budget for attendance at workshops, meetings and conferences and that she tries to pick and choose which ones she attends.

Hurteau made a motion to close the meeting, DuMond seconded the motion and the meeting was unanimously adjourned at 9:10 p.m.

John R. Hadley



Richard R. Hurteau



Claudette A. Barrett



Michelle DuMond

