

TOWN OF MILLBURY, MASSACHUSETTS
The Planning Board

NOTICE OF DECISION
ADAPTIVE REUSE SPECIAL PERMIT,
MULTI-FAMILY SPECIAL PERMIT,
SITE PLAN APPROVAL and
POST-CONSTRUCTION STORMWATER MANAGEMENT PERMIT
SINGLETARY ARMS

RECEIVED
TOWN CLERK
2021 MAR 12 AM 11:23
MILLBURY, MASS.

Applicant/Owner:
Douglas Backman
115 West Main Street
Millbury, MA 01527

Date: March 8, 2021

Premises Affected in Millbury, MA:

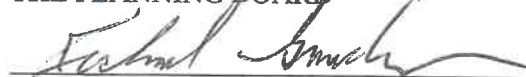
115 West Main Street, Assessor's Map 70, Parcel 99, 119 West Main Street, Assessor's Map 70, Parcel 118
3 Burbank Street, Assessor's Map 70, Parcel 100, 4 Burbank Street, Assessor's Map 70, Parcel 117

Referring to the above application to construct a mixed use development consisting of 180 dwelling units, 4,000 square feet of office/personal service/retail space, a 2,400 square foot restaurant, 327 parking spaces, and related infrastructure (the "Application"), the Planning Board held a public hearing on September 28, 2020, October 26, 2020, November 23, 2020 (no testimony taken), December 14, 2020, January 11, 2021 (no testimony taken), January 25, 2021, February 22, 2021, and March 8, 2021. All sessions of the public hearing were broadcast live on Millbury Public Access Television, live-streamed on the Millbury Public Access Television website, and live-streamed via ZOOM video and audio conferencing, allowing members of the public to follow the proceedings of the Planning Board while they were occurring and allowing members of the public to participate in the hearing through real-time active participation, in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20, dated March 12, 2020. The Planning Board at its meeting on March 8, 2021 voted to **GRANT** an Adaptive Reuse Special Permit pursuant to Zoning Bylaws, Section 28, Multi-family Special Permit pursuant to Zoning Bylaws, Section 14.11 (a), Site Plan Approval pursuant to Zoning Bylaws, Section 12.4, Post-Construction Stormwater Management Permit pursuant to Municipal Code, Chapter 13.15 subject to conditions, safeguards and limitations on time and use. Voted: Richard Gosselin yes, Francis DeSimone (Alternate) no, Bruce Devault yes, Terry Burke Dotson no, Paul Piktelis yes.

The decision of the Board, together with detailed record of its proceedings stating the reasons for the decision, shall be filed within 14 days after the hearing in the office of the Town Clerk. Decision filed with Clerk March 12, 2021.

IMPORTANT: Any appeal from the decision of the Planning Board can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (M.G.L.) as amended, and must be filed within twenty (20) days after the date of filing of the decision with the Town Clerk.

THE PLANNING BOARD


Richard Gosselin, Chairman

TOWN OF MILLBURY, MASSACHUSETTS
The Planning Board

RECORD OF PROCEEDINGS
On Application of Douglas Backman

I, Richard Gosselin, Chairman of the Planning Board, hereby certify that the following is a detailed record of all its proceedings relative to the application of Douglas Backman for property located at 115 West Main Street, 119 West Main Street, 3 Burbank Street and 4 Burbank Street for an Adaptive Reuse Special Permit pursuant to Section 28, a Multifamily Special Permit pursuant of Section 14.11(a) and Site Plan Approval pursuant to Section 12.4 of the Millbury Zoning Bylaws and for a Post- Construction Stormwater Management Permit pursuant to Chapter 13.15 of the Millbury Municipal Code (the “Property”).

1. The Applicant desires to transform the existing mill building on 115 West Main Street into a combination of 54 studio, 1-bedroom and 2-bedroom dwellings, 4,000 square feet of office/personal service and/or retail space, a 2,400 square foot restaurant, and uses accessory to the residential use (i.e. storage, game room, fitness center, live/work spaces). The Applicant wants to construct two new multi-family buildings on 4 Burbank Street that shall contain a total of 51 studio, 1-bedroom and 2-bedroom dwellings (Building #1) and 75 studio, 1 bedroom and 2-bedroom dwellings and uses accessory to the residential use (i.e. fitness center) (Building #2). The total number of multi-family dwelling units in all three buildings shall not exceed 180. A total of 327 parking spaces shall serve the proposed uses, including 5 parking spaces on Burbank Street and 17 parking spaces located on 3 Burbank Street.
2. The Property is shown on a plan entitled “Singletary Arms Site Improvement Plans, Millbury, Massachusetts”, prepared by Branson Surveying & Engineering, LLC, 231 Rockpoint Drive, Walnut Shade, Missouri, dated August 6, 2020 and last revised March 1, 2021 (the “Project”).
3. The Planning Board relied on the following documents, in addition to the testimony presented at the public hearing, in making its decision:

As amended through May 1/2, 2018	Town of Millbury Zoning Bylaws
As amended through 2018	Millbury Municipal Code
August 6, 2020, last revised March 1, 2021	Plan entitled Singletary Arms Site Improvement Plans, Millbury, Massachusetts”, prepared by Branson Surveying & Engineering, LLC
September 10, 2020, last revised February 26, 2021	Exterior building elevations entitled “Singletary Arms, Millbury, MA” prepared by DBVW Architects
Undated	Project renderings prepared by DBVW Architects
February 8, 2021	Letter from DBVW Architects RE: Singletary Arms Residential Development, 115 West Main Street, 4 Burbank Street, Millbury MA
August 24, 2020, last revised December 4, 2020	“Development Impact Statement For Singletary Arms, Millbury Massachusetts”, prepared by Branson Surveying & Engineering and Nitsch Engineering

January 18, 2021	“Traffic Impact Study Revised, 115 West Main Street, Millbury, MA”, prepared by Nitsch Engineering
Undated	Traffic counts at intersection of Burbank Road and Wheelock Road, Sutton, prepared by Precision Data Industries, LLC
January 25, 2021	Presentation entitled “Singletary Arms – 115 West Main Street Updated Traffic Study” prepared by Nitsch Engineering
February 13, 2021	“Stormwater Report for Singletary Arms, Millbury, Massachusetts” prepared by Branson Surveying & Engineering, LLC
Signed January 13, 2021	Illicit Discharge Compliance Statement, prepared by Branson Surveying & Engineering
Undated	Checklist for Stormwater Report, prepared by Branson Surveying & Engineering
Undated	Lighting specification sheets by Signify (Lumec, Hadco, and Gardco)
October 6, 2020, amended March 1, 2021	Singletary Arms Design Exception Waiver Request, prepared by Douglas Backman
Undated	Nitsch Engineering Response to Stantec Traffic Review Letter Dated September 17, 2020
October 19, 2020	Branson Surveying & Engineering Response to Town Planner Review Letter Dated September 15, 2020
October 19, 2020	Branson Surveying & Engineering Response to Stantec Review Letter Dated September 24, 2020
Undated	Branson Surveying & Engineering Response to Town Planner Review Letter Dated October 22, 2020
Undated	Branson Surveying & Engineering Response to Stantec Review Letter Dated October 26, 2020
November 18, 2020	Email from Branson Surveying & Engineering Requesting Continuance of the Public Hearing
January 5, 2020	Email from Branson Surveying & Engineering Requesting Continuance of the Public Hearing
January 21, 2020	Email from Branson Surveying & Engineering RE: Revised Sheet C-4
Undated	Branson Surveying & Engineering Response to Town Planner Review Letter Dated January 20, 2021
Undated	Branson Surveying & Engineering Response to Stantec Review Letter Dated January 21, 2021
Undated	Branson Surveying & Engineering Response to Town Planner Review Letter Dated February 18, 2021
Undated	Branson Surveying & Engineering Response to Stantec Review Letter Dated February 19, 2021
March 3, 2021	Email from Branson Surveying & Engineering RE: Revised Sheets C-20, C-20.1, C-20.1, C-20.2, C-21, C-21.1, C-21.3, and C-25.1
October 19, 2020	Email Exchange Between Nitsch Engineering, Stantec and Town Planner
October 20, 2020	Email Exchange Between Nitsch Engineering, Stantec and Town Planner
December 23, 2020	Email from Nitsch Engineering (Adina Alpert) RE: Traffic Study – 115 W. Main Street Development

SINGLETARY ARMS

March 3, 2021	Nitsch Engineering Response to Stantec Traffic Review Letter Dated January 21, 2021
March 8, 2021	Email Exchange Between Nitsch Engineering and Millbury Town Planner RE: Sutton Traffic Counts
September 17, 2020	Email from Stantec (David Glenn)
September 24, 2020	Letter from Stantec
October 26, 2020	Letter from Stantec
December 14, 2020	Letter from Stantec
January 21, 2021	Letter from Stantec
February 19, 2021	Letter from Stantec
March 4, 2021	Email exchange between Stantec (David Glenn) and Branson Surveying & Engineering
September 17, 2020	Letter from Stantec RE: Traffic Review
December 11, 2020	Letter from Stantec RE: Traffic Review
January 21, 2021	Letter from Stantec RE: Traffic Review
February 17, 2001	Letter from Stantec RE: Traffic Review
September 15, 2020	Email from Town Planner to Branson Surveying & Engineering, LLC (Mike Stalzer)
September 15, 2020	Town Planner Questions, Comments and Recommendations
September 25, 2020	Emails from Town Planner RE: Site Meeting at Intersection of Burbank and Sibley Roads
October 22, 2020	Town Planner Questions, Comments and Recommendations
December 9, 2020	Town Planner Questions, Comments and Recommendations
December 28, 2020	Letter from Town Planner to Sgt. Thomas Brown
January 20, 2021	Town Planner Questions, Comments and Recommendations
February 2, 2021	Town Planner Memo to the Planning Board RE: Singletary Arms Residential Development
February 18, 2021	Town Planner Questions, Comments and Recommendations
March 8, 2021	Town Planner Memo to the Planning Board RE: Municipal Multi-family Dwelling Parking Requirements
September 24, 2020	Email from Police Chief (Don Desorcy)
September 28, 2020	Email exchange between Town Planner, DPW Director and Branson Surveying & Engineering
February 24, 2021	Letter from Fire Chief
September 24, 2020	Letter from Sutton Town Planner

October 7, 2020	Letter from Sutton Town Planner
November 6, 2020	Letter from Sutton Town Planner
January 5, 2021	Letter from Sutton Town Planner
February 22, 2021	Email from Sutton Town Planner
January 22, 2021	Letter from Aquarion Water Company RE: Request for Water Service – 115 West Main Street, Millbury, MA
October 20, 2020	Email from James Marran
November 20, 2020	Email exchange between Millbury Town Planner and James Marran
December 13, 2020	Email exchange between Millbury Town Planner, Sutton Town Planner and James Marran
January 7, 2021	Email exchange between Millbury Town Planner and James Marran
January 31, 2021	Email exchange between Town Planner and Paul Routhier
October 26, 2020	Letter from Sederlaw (James A. Vevone)
October 15, 2020	Letter from Bill and Carol LaPrade
October 13, 2020	Email from Michael and Susan Arrell
December 13, 2020	Letter from Sgt. Thomas Brown
September 28, 2020	Transcript of Chat Comments from Planning Board Meeting
Undated	“Housing Choice at a Glance” Flier

4. On September 3, 2020, the Applicant submitted application materials to the Planning Board, a true copy marked as Exhibit A.
5. A legal ad, a true copy marked as Exhibit B, was published in the *Millbury Sutton Chronicle*, a newspaper of general circulation in Millbury, on September 10, 2020 and September 17, 2020 and posted by the Town Clerk on September 8, 2020. A notice of the hearing was mailed postpaid to the Applicant, abutters of land within 300 feet of the property line, being the same persons named in the Certified List of Abutters, to the Central Massachusetts Regional Planning Commission, and to the Planning Boards of every abutting community.
6. On September 28, 2020, the Planning Board opened a public hearing via ZOOM video and audio conferencing to consider the application and receive comments thereon. With the Applicant’s consent, the hearing was continued to October 26, 2020, November 23, 2020 (no testimony taken), December 14, 2020, January 11, 2021 (no testimony taken), January 25, 2021, February 22, 2021, and March 8, 2021, at which time the Planning Board voted to close the public hearing. Four members of the Planning Board were present at each session of the public hearing when testimony was taken. Alternate Member Francis Desimone was appointed as Planning Board Alternate on October 13, 2021 and was therefore absent from the September 28, 2020 session. Member Francis Desimone submitted a written certification, a copy of which is marked Exhibit C that he examined all evidence, which evidence included a video recording,

obtained at the September 28, 2020 session that he missed. After the public hearing was closed, the Planning Board acted on the waiver requests from the Town of Millbury's Zoning Bylaws as follows:

- a. Section 12.45(q): Partial waiver from the requirement to provide interior landscaping covering not less than 5% of the total area of the parking lot.
 - b. Section 33.2: Partial waiver from the requirement to provide two parking spaces for each studio apartment within the development. The Applicant shall provide one parking space for each studio apartment as the Planning Board finds that the public good will be served and that Bramanville Village will not suffer a substantial adverse impact from the reduction in parking.
7. After the hearing was closed and the waivers acted upon, the Planning Board, in accordance with Article I, Section 12.46(a) and Article II, Section 28.4 of the Millbury Zoning Bylaw and Title 13, Chapter 13.15 of the Millbury Municipal Code, based upon its review of the projected development impacts, the proposed methods of mitigating such impacts and having found that: the Project is a mixed-use development in a center of commercial activity (Bramanville Village) and that not less than 10% of the dwelling units shall be affordable to and occupied by households whose annual income is less than 80% of the Area Median Income (AMI) as determined by the United States Department of Housing and Urban Development and affordability is assured for a period of not less than 30 years through the use of an affordable housing restriction as defined in M.G.L Chapter 184, Section 31; and that the Project is in conformance with the Millbury Zoning Bylaw and Municipal Code, voted to **GRANT** the Adaptive Reuse Special Permit, Multi-family Special Permit, Site Plan Approval, and Stormwater Management Permit with conditions, safeguards and limitations set forth as follows:
- a. The Applicant shall comply with all applicable laws, by-laws, rules, regulations, codes, and obtain all necessary permits and approvals, including a Road Opening Permit from the Department of Public Works (DPW).
 - b. All rules and regulations of the Millbury Zoning Bylaw and Millbury Municipal Code shall be adhered to.
 - c. Any substantial change shall require application for a new Special Permit, Site Plan Approval and Stormwater Management Permit. The Planning Board shall determine what constitutes a substantial change.
 - d. All required fees and costs associated with the approval process and inspections shall be paid.
 - e. All construction debris shall be disposed of in compliance with applicable local and state laws.
 - f. Prior to construction activities, the Applicant shall do the following:
 - i. File a Plan of Land with the Worcester Registry of Deeds that combines the parcels of 4 Burbank Street and 115 West Main Street.
 - ii. Submit documentation from National Grid (i.e. release or easement agreement recorded at the Worcester Registry of Deeds) authorizing the abandonment or relocation of the New England Power easement on 4 Burbank Street.
 - iii. Submit a Stormwater Pollution Prevention Plan (SWPPP). The project is covered by a NPDES Construction General Permit.
 - iv. Provide filed and/or recorded copies of all permits, including an Earth Removal Permit if required.

- v. Provide final designed engineered stamped drawings of each proposed retaining wall for Planning Board review and approval. All walls retaining 4' or more of unbalanced fill require a building permit.
- vi. Modify the site plan, for submission to and approval of the Planning Board, as follows:
 - a) Designate the location for 3 bike racks (1 at each building) and provide specifications within the detail sheets.
 - b) Designate location for bicycle storage and submit specifications within the detail sheets if storage facilities will be located exterior to the mill building, Building #1 and Building #2.
- vii. Prepare and submit a full traffic survey of the intersection of Burbank Street, West Main Street and High Street as part of a robust investigation of alternative improvement plans. The investigation shall include outreach to project stakeholders and Town departments leading to the definition of a preferred alternative. The preferred alternative shall be presented on an intersection improvement plan and include at a minimum:
 - a) Crosswalk on Burbank Street linking ADA accessible ramps at each end;
 - b) Curb extensions on the east and west sides of Burbank Street to accommodate the ramps and shorten the existing crossing;
 - c) A crosswalk on West Main Street linking ADA accessible ramps at each end;
 - d) Rectangular Rapid Flashing Beacons at the West Main Street crossing;
 - e) Survey of existing conditions including location, width, curbing, paving, right-of-way, easements, driveways, sidewalks, topography, utilities... etc.;
 - f) Evaluate the need for additional drainage structures/catch basins to control stormwater runoff.

If the preferred alternative does not include these minimum improvements, and associated roadway modifications needed to properly accommodate these changes, the Planning Board will reopen the public hearing to consider the preferred alternative. Otherwise, the Applicant shall work with staff and other town departments, as applicable, to develop final design plans for the approved alternative for Planning Board review and approval.

- viii. Pay \$6,000 to the Town of Millbury for deposit into a special account established by the Town Treasurer under M.G.L. Chapter 44, Section 53G to finance inspections of stormwater facility installation. The balance of this account shall at no time be less than one-half (1/2) the initial deposit, and the Applicant shall deposit with the Treasurer such additional funds as are required to restore the account to the amount of the initial deposit upon notice from the Board that the amount on deposit has been decreased by the expenditures described herein to an amount at or below one-half (1/2) of the initial deposit. If the Applicant fails to restore the account balance and the balance is insufficient to pay incurred professional and technical review fees, the Board shall place a stop work order on construction activities by not authorizing additional professional or technical work, including inspections, until outstanding invoices are paid. Ninety (90) days following the Building Inspector's issuance of an Occupancy Permit, any excess amount in the account attributable to that project, including any interest accrued, shall be repaid to the Applicant or the Applicant's successor in interest.

- ix. In accordance with the provisions of Zoning Bylaws, Section 12.47(e) and Municipal Code, Chapter 13.15.090, file surety in an amount determined by the Board to be sufficient to cover the cost of all improvements shown on the approved site plan and specified as conditions of approval plus a twenty-five percent (25%) contingency factor, and/or execute and record a covenant running with the land. Such covenant shall provide in part that no building may be built until all of the improvements required by the approved site plan and specified as conditions of approval have been completed and approved by the Planning Board. The Planning Board will not reduce the Town's interest in a surety to an amount less than twenty-five percent (25%) of the original amount, or release the last building in the case of approval with covenant, until the Applicant submits and obtains Planning Board approval for an "as-built" plan in conformance with Section 12.49(c) of the Zoning Bylaws and Chapter 13.15.100 of the Municipal Code.
- x. Attend a pre-construction meeting with the Director of Planning & Development, the Planning Board's consulting engineer and representatives from applicable boards, committees, and departments from the Town of Millbury. At that meeting, the Applicant shall provide a construction schedule and propose a method of stump removal and disposal. Said method may include excavation and removal off-site in accordance with applicable regulations, grinding in place, or excavation and on-site grinding.
- g. Prior to issuance of a building permit, the Applicant shall install signage to mitigate sight distance deficiencies, including a curve-ahead warning sign with a supplemental speed plaque for northbound traffic in advance of the curve on Burbank Street, warning signs on northbound Burbank Street in advance of the parking lot driveway and on West Main Street in advance of the curb cuts for parking areas, and "Look Both Ways" signs for driveway approaches with insufficient intersection sight distances.
- h. Prior to issuance of an occupancy permit, the Applicant shall do the following:
 - i. Construct the improvements to the intersection of Burbank Street, West Main Street and High Street referenced in Condition f(vii).
 - ii. Donate the land and building located at 119 West Main Street to the Town of Millbury for use as a museum.
 - iii. Submit, for Planning Board review and approval, the materials, structural design and lighting for all proposed signage. Sign design shall adhere to Zoning Bylaws, Section 12.45(v)(3) and Section 34.8.
- i. Eighteen dwelling units or 10% of all dwelling units shall be designated as affordable to low and moderate income households (up to 80% of Area Median Income (AMI)) as defined by the MA Department of Housing and Community Development (DHCD) for a period of thirty (30) years. The Applicant shall satisfy all requirements for inclusion of the units on the DHCD Subsidized Housing Inventory for the Town of Millbury prior to issuance of an occupancy permit for any of the buildings. The dwelling units shall be interspersed and shall contain the same amenities as market-rate units.
- j. On a monthly basis after the commencement of construction, the Applicant shall, to the extent required by the Planning Director, meet with the Planning Director during office hours to provide a project update. The time and date of these meetings and/or site visits shall be agreed upon by the Applicant and the Planning Director. The Applicant shall submit inspection reports produced in conformance with NPDES to the Planning Office during these progress meetings.
- k. Inspections of the stormwater facilities shall be conducted at appropriate times in the construction schedule in accordance with Millbury Municipal Code, Title 13, Chapter 13.15.100. Any work which has been covered by subsequent work prior to inspection, or is otherwise not available or obscured to

the point of rendering inspection of the work difficult, shall be considered not acceptable to the Planning Board. Such subsequent work shall be removed as directed by the Planning Board or its representative to insure availability of the work to be inspected as required herein.

1. If blasting occurs, no perchlorate shall be used. The Applicant shall sample and analyze all wells for compounds contained in the proposed blasting materials prior to any blasting if those wells are located within five hundred (500) feet of the blast area. These wells shall also be tested for quantity prior to any blasting. The blast area shall be defined as the limits of construction. All structures within five hundred (500) feet of the blast area shall be reviewed for cracks prior to any blasting. The Applicant shall alert property owners within five hundred (500) feet of a blast area, via certified mail, when blasting is complete.
- m. When earth movement and/or blasting activities occur at the site, a water truck shall be present to ameliorate dust.
- n. A port-o-john shall be maintained on the job site throughout the construction process.
- o. Throughout construction activity, the Applicant shall maintain a dumpster on site to dispose of construction debris.
- p. Sewer services shall be installed and inspected in accordance with the requirements of the Millbury Department of Public Works (DPW). The developer shall apply for sewer connection and driveway opening permits for each connection and/or opening.
- q. Water and fire suppression services shall be installed in accordance with the requirements of Aquarion Water Company and the Millbury Fire Department.
- r. All sidewalks and ramps constructed as part of the Singletary Arms development and off-site mitigation shall comply with the requirements of the Massachusetts Architectural Access Board.
- s. Parking lot and area lighting shall be installed such that there is no spillover of light onto abutting residentially-occupied properties.
- t. On-site snow storage shall only be allowed within designated storage areas. Snow piles shall not exceed 8' in height or impact sight lines. Once snow storage areas are full, additional snow shall be hauled off-site and properly disposed of within 48 hours of the conclusion of the storm event.
- u. No sodium-based de-icing agents shall be utilized on site. Agents such as potassium chloride or calcium chloride are deemed acceptable for use at the site.
- v. The Applicant shall ensure proper maintenance of plantings on the site, including replacement of dead or diseased plantings in the following planting season.
- w. The Applicant shall implement a Transportation Demand Management program to minimize automobile usage and project-related traffic impacts that shall include, but not be limited to, the following:
 - i. Installation of 3 bike racks (1 for each building);
 - ii. Installation of bicycle storage in secure, sheltered areas for residents;
 - iii. Installation of Electric Vehicle Charging stations within the garages. At least 2 charging stations shall be installed within each garage;

- iv. Effort to secure a WRTA bus stop for Bramanville Village so as to link Bramanville Village to Millbury Center, the Shoppes of Blackstone Valley, and Union Station in Worcester, MA.
 - v. Explore the feasibility of providing a shared care service (i.e. ZipCar) on-site to help reduce the need for residents to own a vehicle.
 - vi. Preparation and distribution of orientation packets to new tenants containing information on available transportation choices, including transit routes/schedules and nearby vehicle sharing and bicycle sharing locations.
 - vii. Designation of a transportation coordinator to oversee transportation issues, including parking, service and loading, and deliveries. The Transportation coordinator will distribute orientation packets and otherwise inform residents about the public transportation, bicycling, and walking opportunities within the Town of Millbury and the region.
- x. The Applicant shall implement a Transportation Monitoring Program. The intent of the monitoring program is to confirm that the post-development impacts of the Project are consistent with the forecast estimates and to ensure that the mitigation measures are completed and/or maintained. This monitoring will be performed annually commencing six months after completion and occupancy of the first building, and it will continue for a period of five years after occupancy of the full build-out of the Project. Should subsequent phases extend beyond five years, the traffic monitoring program will cease until the next phase of the project is completed. Results of the monitoring program will be summarized in a technical memorandum, including an update on TDM effectiveness and transit ridership, and will be provided to the Town. If the results show that the post-development impacts are more significant than anticipated, the Applicant shall propose mitigation measures for Planning Board review and approval. The monitoring program shall include the following elements:
- i. Employee and Resident Survey – the Applicant will distribute a survey to determine commuting modes to/from the Project Site, transit ridership, bicycle parking utilization, occupancy of car-sharing parking spaces, occupancy of alternative fueled vehicle parking spaces, electric vehicle charging station demand and usage, and overall parking demands.
 - ii. Garage Volume Data – Traffic volume information will be collected over a continuous seven-day period at each garage entrance/exit.
 - iii. Verification of Mitigation Measures – The Applicant will verify implementation of the proposed mitigation measures (TDM measures, parking accommodations and on-site pedestrian and bicycle amenities).
 - iv. Traffic Data Collection – Traffic data (turning movement counts for vehicles, pedestrians, bicycles) will be collected during the weekday morning peak period (7:00 AM – 9:00 AM) and afternoon peak period (4:00 PM – 6:00 PM), and operations analysis will be performed at “mitigated” intersections and those involving garage entrances. Turning movement counts will also be collected for an 11-hour period on a weekday from 7:00 AM – 6:00 PM at the intersection of West Main Street at Burbank Street and High Street, and applicable signal warrants, including the Eight-Hour Vehicular warrant, will be analyzed. AM and PM peak hour intersection operations analyses shall also be provided based on the collected volumes.
- y. The Town may require additional mitigation at the intersection of West Main Street, High Street and Burbank Street valued at no more than \$20,000 should it be determined from the results of the Transportation Monitoring Program that the intersection is operating at Level of Service E or F.

- z. Hours of construction of the project shall be limited to 7:00 am to 5:00 pm Monday through Friday, and 8:00 am to 4:00 pm on Saturday.
- aa. Iron pipes shall be set at the intersections of lot lines, and at all points of change of direction of boundary lines of each lot. No permanent bound shall be installed until all construction which would destroy or disturb the bound is completed. In instances where a wall or ledge interferes with an Applicant's ability to install an iron pipe, a drill hole may be substituted. The Applicant's surveyor shall furnish the Planning Board with a letter certifying that iron pipes and bounds have been placed precisely as indicated on the approved Plan and this decision.
- bb. Prior to issuance of an occupancy permit, the Applicant shall file two print copies and one electronic copy of the "as-built" plan, certified by a registered professional engineer and registered land surveyor, with the Planning Board and the Building Inspector identifying that bounds were installed at all lot corners in accordance with the Site Plan and any change from the approved plan.
- cc. This permit shall lapse if a substantial use thereof or construction has not begun, except for good cause, within 24 months of issuance (excluding such time required to pursue or await determination of an appeal).
- dd. Each condition of this decision shall be construed as separate to the end, and if any condition shall be held invalid for any reason, the remaining conditions shall continue in full force and effect.

Members present: Richard Gosselin (yes), Francis DeSimone (Alternate) (yes), Bruce DeVault (yes), Terry Burke Dotson (yes), Paul Piktelis (yes).

MILLBURY PLANNING BOARD



Richard Gosselin, Chairman

Exhibit A

RECEIVED

SEP 3 2020

TOWN OF MILLBURY
APPLICATION FOR SPECIAL PERMIT

MILLBURY PLANNING BOARD

2020 SEP -3 PM 2:26

APPLICANT:

NAME Doug Backman

STREET 3 Greenwood Rd CITY/TOWN Southborough

STATE MA ZIP 01772 TELEPHONE 508-981-1889

NAME OF PROPERTY OWNER (if different from Applicant) _____

Deed recorded in the Worcester District Registry of Deeds Book 9096 Page 61

SITE INFORMATION:

38784 377

STREET AND NUMBER 115 W. Main St., 3,4 Burbank St.

ZONING DISTRICT BVb ASSESSOR'S MAP/LOT #(S) _____

LOT SIZE 12.5 Ac FRONTAGE West Main St & Burbank St

CURRENT USE Manufacturing

PROJECT PLAN INFORMATION:

PLAN TITLE Singletary Arms

PREPARED BY (name/address of PE/Architect) Todd Chandler, P.E.

DATES 8/20/20

USES FOR WHICH SPECIAL PERMIT IS SOUGHT (refer to the Zoning Bylaw - Use Regulation Table): Bramanville Village District

High Density Residential & Small Scale Commercial

CITE ALL APPROPRIATE SECTIONS OF THE ZONING BYLAW WHICH PERTAIN TO THIS APPLICATION; USE AND SITE: BVD requirements

TO THE MILLBURY PLANNING BOARD:

The undersigned, being the Applicant named above, hereby applies for a Special Permit to be granted by the Planning Board and certifies that, to the best of applicant's knowledge and belief, the information contained herein is correct and complete.

Applicant's Signature 

Property Owner's Signature (if not Applicant) _____

Exhibit A

TOWN OF MILLBURY APPLICATION FOR STORMWATER PERMIT

APPLICANT:

NAME Doug Backman

STREET 3 GLENWOOD RD CITY/TOWN Southborough

STATE MA ZIP 01772 TELEPHONE 508-981-1889

NAME OF PROPERTY OWNER (if different from Applicant) _____

Deed recorded in the Worcester District Registry of Deeds Book 9096 Page 61
35984 377

SITE INFORMATION:

STREET AND NUMBER 115 W. Main St, 3, + Burbank St.

ZONING DISTRICT BVD ASSESSOR'S MAP/LOT #(S) _____

LOT SIZE 12.5 FRONTAGE West Main St & Burbank St

CURRENT USE Manufacturing

PROJECT PLAN INFORMATION:

PLAN TITLE Singlestory Arms

PREPARED BY (name/address of PE/Architect) Todd Chandler, P.E.

DATES 8/20/20

USES FOR WHICH SPECIAL PERMIT IS SOUGHT

High density residential & small scale commercial

CITE ALL APPROPRIATE SECTIONS OF THE GENERAL BYLAW WHICH
PERTAIN TO THIS APPLICATION; USE AND SITE: BVD requirements

TO THE MILLBURY PLANNING BOARD:

The undersigned, being the Applicant named above, hereby applies for a Special Permit to be granted by the Planning Board and certifies that, to the best of applicant's knowledge and belief, the information contained herein is correct and complete.

Applicant's Signature

Property Owner's Signature (if not Applicant) _____

Exhibit B



TOWN OF MILLBURY

DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508/865-4754 • FAX 508/865-0857

PUBLIC HEARING NOTICE Millbury Planning Board

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, the Millbury Planning Board will continue with the public hearing on Monday, October 26, 2020 at 7:20 p.m. in the Millbury Public Library, 128 Elm Street, Millbury, MA and via remote participation via ZOOM (Meeting ID: 832 9958 7254, call-in number 929-205-6099) on the application of Douglas Backman, property located at 115 West Main Street, 119 West Main Street, 3 Burbank Street, and 4 Burbank Street, Millbury, MA, for a Multi-Family Special Permit under Millbury Zoning Bylaws, Article 1, Section 14.11(a), an Adaptive Reuse Special Permit under Article 1, Section 14.11(p) and Site Plan Review under Article 1, Section 12.4; and for a Post-Construction Storm Water Management Permit under Title 13, Chapter 13.15 of the Millbury Municipal Code. The Applicant seeks approval for a mixed-use development consisting of 197 multi-family units, 9,900 square feet of commercial space, 330 parking spaces, and associated improvements.

Application materials may be viewed on the municipal webpage at <https://www.millbury-ma.org/planning-board/pages/projects-permitting-phase> or by appointment in the Department of Planning & Development.

Richard Gosselin
Chairman

Millbury Sutton Chronicle: Please publish on October 8, 2020 and October 15, 2020.

Exhibit B



TOWN OF MILLBURY DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508 / 865-4754 • FAX. 508 / 865-0857

PUBLIC HEARING NOTICE
Millbury Planning Board

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, the Millbury Planning Board will hold a public hearing on Monday, September 28, 2020 at 7:30 p.m. on the application of Douglas Backman, property located at 115 West Main Street, 119 West Main Street, 3 Burbank Street, and 4 Burbank Street, Millbury, MA, for a Multi-Family Special Permit under Millbury Zoning Bylaws, Article 1, Section 14.11(a), an Adaptive Reuse Special Permit under Article 1, Section 14.11(p) and Site Plan Review under Article 1, Section 12.4; and for a Post-Construction Storm Water Management Permit under Title 13, Chapter 13.15 of the Millbury Municipal Code. The Applicant seeks approval for a mixed-use development consisting of 197 multi-family units, 9,900 square feet of commercial space, 330 parking spaces, and associated improvements.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §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, this meeting of the Millbury Planning Board will be conducted via remote participation via ZOOM (Meeting ID: 937 2797 9721, call-in number 929-205-6099). This meeting will be recorded and streamed by Millbury Public Access Cable Television. It will be available live on public access channels Charter 191 and Verizon 26. It will also be available through Zoom.us/download. While no in-person attendance will be permitted, every effort will be made to ensure that the public can adequately access the proceedings and provide comment in real time using technological means.

For more information concerning this application, to view application materials, or to submit written comments in advance of the hearing, contact the Department of Planning & Development at 508-865-4754 or scollins@townofmillbury.net. Application materials may be viewed on the municipal webpage at <https://www.millbury-ma.org/planning-board/pages/projects-permitting-phase> or by appointment in the Department of Planning & Development, Municipal Office Building, 127 Elm Street, Millbury.

Richard Gosselin
Chairman

Millbury Sutton Chronicle: Please publish on September 10, 2020 and September 17, 2020.

EXHIBIT C

I, Francis DeSimone, Alternate Member of the Planning Board, certify that I have examined all evidence received at the September 28, 2020 session of the public hearing relative to the application of Douglas Backman for property located at 115 West Main Street, 119 West Main Street, 3 Burbank Street and 4 Burbank Street, Millbury, MA, for the Adaptive Reuse Special Permit pursuant to Zoning Bylaws, Section 28, Multi-family Special Permit pursuant to Zoning Bylaws, Section 14.11 (a), Site Plan Approval pursuant to Zoning Bylaws, Section 12.4, Post-Construction Stormwater Management Permit pursuant to Municipal Code, Chapter 13.15. Said evidence includes a video recording of the September 28, 2020 meeting.