
PLANNING DIRECTOR QUESTIONS, COMMENTS AND RECOMMENDATIONS

Proposed Development:	Multi-family Special Permit & Post-Construction Stormwater Permit for 17 Rice Road
Applicant:	Clay Street Properties, LLC
Site Plan Submitted:	April 14, 2021
Public Hearing Scheduled:	May 10, 2021

Project Description: The Applicant proposes to construct a 52-unit condominium development consisting of 26 duplex buildings on a 15.6-acre parcel of land at 17 Rice Road. The Applicant proposes to demolish an existing single-family home on the property and construct a new, private drive named Hillcrest Circle that will provide access to the condominium units. The parcel is otherwise undeveloped. The subject property is served by public water and sewer and is located within a Residential I District. The proposed dwelling units will be a mix of two- and three-bedroom floor plans, with all units having a two-car garage. Ten surplus parking spaces at three different site are also proposed. The property contains sufficient lot size and frontage to accommodate the development and the proposed buildings comply with the maximum lot coverage and height requirements.

Comments dated July 28th are based on the plan last revised July 21, 2021. Comments dated September 21, 2021 are based on the plan last revised September 3, 2021. Comments dated November 16th are based on the plan last revised November 8, 2021.

Issues:

- 1) The Applicant submitted a waiver request for the requirement to submit isometric line drawings. I am amenable to this waiver request.
- 2) In accordance with Zoning Bylaws, Section 12.44(a), please revise the plan as follows or request a written waiver from the applicable requirements:
 - i) Site Plans should be at a scale of 1" = 20'.

July 28th Comment: The Applicant noted in memo from Azimuth Land Design, LLC dated July 27, 2021 that they will submit a written waiver request to allow plan to be drawn to a scale of 1" = 30'. I recommend that the Planning Board grant this waiver request.

- ii) Existing and Proposed Site Plans should be at one (1) foot intervals. The Site Plan is currently drawn to 2-foot intervals.

July 28th Comment: The Applicant noted in memo from Azimuth Land Design, LLC dated July 27, 2021 that they will submit a written waiver request to allow plan to show 2' contour intervals. The Planning Board should comment about whether they are amenable to this waiver request.

September 21st Comment: The written waiver request was submitted with the latest update. Also, the plan was modified to depict 1' contour intervals but I concur with the design engineer that the grading plan is now very difficult to read.

- iii) Include datum references and a surveyor's stamp on the Existing Conditions Plan.

July 28th Comment: The Applicant noted in memo from Azimuth Land Design, LLC dated July 27, 2021 that they will submit an existing conditions plan with surveyors stamp once the surveyor completes his work.

September 21st Comment: This comment is now addressed. Datum references are provided on the updated Existing Conditions Plan and the plan is stamped by a registered land surveyor. I recommend inclusion of a Condition of Approval requiring installation of additional bounds where the distance between monuments exceeds 350' (see Subdivision Regulations, Section 4.1(17)).

- iv) Identify the style, type and location of all proposed signage, including development signage at the entrance of Hillcrest Circle, stop signs, street signs, etc. All signs must be in conformance with Section 34 of the Zoning Bylaw. At a minimum, the Applicant should include a stop sign and street sign at the entrance to the development, as well as a stop sign at the intersection in front of units 37 & 38.

July 28th Comment: This comment is not addressed by the revised plan.

September 21st Comment: These comments are partially addressed by the revised plan. Signage locations are depicted on the Site Layout Plans, however additional one-way and do not enter signage and arrows are necessary along Hillcrest Circle to make it clear where the roadway will be one way. Note that these plans would be easier to read if the existing single-family home and driveway were depicted in lighter text.

November 16th Comment: This comment is addressed by the addition of arrows, "one way" and "do not enter" signage.

- v) Identify snow storage areas in the Site Plan.

July 28th Comment: This comment is not addressed by the revised plan.

September 21st Comment: This comment is addressed by the revised plan. Snow storage locations are depicted on the Site Layout Plans. The closest snow storage area to the pond is located approximately 100' away.

- vi) Add five signature lines for Planning Board Approval to all Site Plan sheets.

July 28th Comment: This comment is not addressed by the revised plan.

September 21st Comment: This comment is addressed by the revised plan.

- vii) Indicate on the Site Plan that Hillcrest Circle will be a private way.

July 28th Comment: This comment is now addressed in the notes on Sheet P1.

- viii) Include information on the type, style, and intensity of street lighting within the project area.

July 28th Comment: The Applicant noted in memo from Azimuth Land Design, LLC dated July 27, 2021 that they will install the same lights as within the Cobblestone Village development on Howe Avenue. However, the site plan must be updated with this information and a photometric plan provided. Streetlight placement should be adjusted so that parking areas and

hydrant locations are lit. Also, street lights should be at 300' intervals maximum. There are a couple of locations where the intervals between street lights are considerably more than 300'.

September 21st Comment: These comments are partially addressed by the revised plan. Street light locations are at no more than 300' intervals and all parking lots, intersections and hydrant locations are lit. Sheet D4 specifies that the lights will be American Revolution Deluxe LED Series ARDL Model lights up to 150 watts, however the cut sheet was not provided and the height of the poles was not specified. Also, the Applicant did not submit a photometric plan.

November 16th Comment: This comment is addressed by plan modifications and the submission of the street light cut sheet.

ix) Include the size of the parking area on ten surplus parking spaces on the site plan.

July 28th Comment: This comment is addressed. The site plan was updated to include 15 extra parking spaces, which exceed the minimum number of parking spaces required by Section 33.2 of the Zoning Bylaws. In comment letter, Azimuth Land Design stated that the parking spaces will be 9' x 18'. The Plan should be modified to specify this.

September 21st Comment: The July 28th comment is addressed. Comments on Sheet P1 and P2 specify the dimensions of proposed parking spaces.

- 3) In accordance with Zoning Bylaw 12.44(b), please add a "Landscape Plan" label to sheets LS-1 & LS-2. The Applicant should also add labels to the landscape plan, LS-1, to show areas that will be loamed and seeded.

July 28th Comment: This comment is not addressed on the revised plan.

September 21st Comment: This comment is now addressed by plan revisions.

- 4) In accordance with Zoning Bylaw 12.44(e), please add elevation measurements to the Elevation Plans, particularly for total height of the proposed structures. Please also indicate the type and color of materials to be used on facades.

July 28th Comment: This comment is addressed. Elevation measurements were provided on updated elevation plans and in memo from Azimuth Land Design, LLC dated July 27, 2021 the Applicant explained that the buildings will be clad in vinyl siding in earth tones.

- 5) The Applicant may consider narrowing the proposed roadway to 22' to reduce the amount of impervious surfaces and the amount of stormwater created from the roadway, and to provide additional space for sidewalks.

July 28th Comment: The site plan was modified as suggested. Written waiver request should be submitted for this deviation from Subdivision Regulations, Section 6.7(6).

September 21st Comment: The written waiver request was submitted. The Applicant proposes to make Hillcress Circle one way from Station 1+75 to its terminus at station 14+08. Signage to this effect (one way and do not enter signage) should be installed as well as additional arrows along the route.

November 16th Comment: This comment is fully addressed by the new plan modifications.

- 6) The Applicant should revise the Grading Plans to show contour lines sloping away from the proposed dwelling units, particularly between dwelling units where the grade should be pitched away from the sides of the buildings, per applicable Building Codes.

July 28th Comment: The grading plan was modified as suggested.

- 7) Zoning Bylaws Design Standards 12.45(a) state that “the landscape shall be preserved in its natural state by minimizing tree and soil removal... Finished site contours shall depart only minimally from the character of the natural site and the surrounding properties.” The design proposes significant grade changes within 100’ of the pond in violation of this design standard. I recommend redesign of the site plan to minimize regrading in the 100’ buffer area and impacts to the pond. The Applicant should consider eliminating units 9-12 and retaining this area in its natural state.

July 28th Comment: The duplexes closest to the pond were moved to minimize disturbance to the pond.

September 21st Comment: In deference to comments made at prior sessions of the public hearing, the units closest to the pond were eliminated. The new configuration reduces the total number of units by 6, for a total of 46 dwelling units within 23 structures.

- 8) In accordance with Zoning Bylaw Design Standards 12.45(k), the Applicant should include plantings that serve as an effective privacy screen, such as arborvitae or similar evergreens, where the property abuts 11 and 19 Rice Road, the railroad, and any another area that will not retain existing vegetation as a visual buffer in order to maintain privacy to abutting property owners.

July 28th Comment: This comment is partially addressed. Screening is now provided for 19 Rice Road. The limit of disturbance line shows that a buffer of existing vegetation will be maintained for 11 Rice Road and the memo from Azimuth Land Design, LLC dated July 27, 2021 states that evergreens will augment existing vegetation behind units 5-8, however this is not depicted on the landscaping plan. The site plan should be modified to depict landscaping in this location. Note that no additional vegetation is proposed to screen the railroad.

September 21st Comment: This comment is addressed. Supplemental landscaping is shown to screen units 9-12 and the limit of work was modified to retain existing vegetation behind units 5-8 to create a substantial buffer for 11 Rice Road.

- 9) For the safety of those living in units abutting the railroad, fencing should be installed.

July 28th Comment: The site plan was modified to depict fencing of some type abutting the railroad, but the type and height of fencing is not specified. Please provide a detail of the fencing and define the symbology in the legend. If chain link fencing is proposed, I recommend black weather resistant chain link fencing of at least 5 feet high.

September 21st Comment: The modified plan specifies 5’ high vinyl coated chain link fencing. I recommend a Condition of Approval requiring modification of the plan to include a detail of the fencing.

November 16th Comment: The fencing detail does not appear on the modified plan. Modification of the plan set should be included as a Condition of Approval prior to construction activities.

- 10) In accordance with Zoning Bylaw Design Standards 12.45(r), the Applicant should install concrete sidewalks on at least one side of the proposed roadway for the safety and facilitation of pedestrian movement. The Town of Millbury is a Complete Streets Community and, as such, looks to accommodate all modes of transportation in all new developments, whether it be public or private.

July 28th Comment: The site plan was modified to depict a 13" thick bituminous concrete sidewalk along one side of the roadway. I recommend that the Planning Board deny a written waiver request to allow a bituminous concrete sidewalk. A 4" thick concrete sidewalk is required and preferable for aesthetic and maintenance reasons. Also, the site plan should be modified to depict ADA-compliant ramps. Note that the Hillcrest Circle Cross-Section depicted on Sheet D2 does not match the site plan in that the site plan shows a 5' wide grass strip between the sidewalk and the curb in accordance with Section 7.5 of the Subdivision Rules and Regulations. The Hillcrest Avenue Cross-Section shows no grass strip and sidewalk abutting the curb. For safety reasons, the grass strip between the sidewalk and the curb is preferred. Please revise the plan accordingly or submit a written waiver request for Planning Board consideration.

September 21st Comment: This comment is largely addressed. The Site Plan was modified to depict the bituminous walkway adjacent to the sloped granite curb, which is now consistent with the Hillcrest Circle Cross-Section on Sheet D2. The cross-section was also modified to depict 8" gravel base, which is consistent with our updated Subdivision Regulations. I reiterate my recommendation regarding concrete sidewalk versus bituminous concrete sidewalk.

- 11) In accordance with Zoning Bylaw Design Standards 12.45(o), concrete curbs and gutters shall be installed around the perimeter of all driveways and parking areas. Granite curbs shall be installed in front of sidewalks abutting buildings. If the applicant is proposing sloped granite curbing, they should submit a waiver request.

July 28th Comment: The written waiver request was not yet submitted. Once submitted, I recommend that the Planning Board grant the waiver as granite curb tends to hold up better than concrete curb.

September 21st Comment: The written waiver request was submitted with the updated submittal. This comment is now addressed.

- 12) In accordance with Zoning Bylaw Design Standards 12.45(t), the Applicant should provide a detail of the proposed outdoor lighting and ensure that the luminaire shields in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture is projected below the horizontal plane. The fixture should be decorative in design to fit with the character of the development and neighborhood.

July 28th Comment: The Applicant noted in memo from Azimuth Land Design, LLC dated July 27, 2021 that they will install the same lights as within the Cobblestone Village development on Howe Avenue. However, the site plan must be updated with this information and a photometric plan provided. Streetlight placement should be adjusted so that parking areas and hydrant locations are lit. Also, street lights should be at 300' intervals per Subdivision Regulations, Section 6.19.

September 21st Comment: These comments are partially addressed by the revised plan. Street light locations are at no more than 300' intervals and all parking lots, intersections and hydrant locations are lit. Sheet D4 specifies that the lights will be American Revolution Deluxe LED Series ARDL Model lights up to 150 watts, however the cut sheet was not provided and the height of the poles was not specified. Also, the Applicant did not submit a photometric plan.

November 16th Comment: *As stated above in Comment #2(viii), this comment is addressed by plan modifications and submission of the street light cut sheet.*

- 13) The Applicant should clarify the method of trash removal from the project site. No dumpster pads/areas are identified on the site plans and it is not mentioned in the Development Impact Statement.

July 28th Comment: This comment is addressed. Garbage pickup will be curbside.

- 14) The Applicant should provide additional detail to the site plan as soon as practicable regarding the sports court over the large infiltration area, including the proposed material (grass, artificial turf, etc.) and any additional site amenities, such as benches, lights. The Applicant should add (or label) a fence along the property line facing the railroad.

July 28th Comment: This comment is not addressed by site plan modifications. I recommend including a Condition of Approval that requires the preparation and submission of a plan for this area for Planning Board review and approval prior to issuance of a building release for the 10th duplex structure. The recreation area should be constructed prior to issuance of a building release for the 15th duplex structure.

- 15) The Applicant should consider including an ADA-accessible parking space as one of the 10 surplus parking spaces.

July 28th Comment: This comment is partially addressed by plan modifications. The space is depicted on the site plan however a detail of the ADA-compliant space, including signage, should be included.

September 21st Comment: My July 28th Comment is partially addressed. The detail of the parking space was not provided, but the detail of the ADA-compliant parking space sign was included on Sheet D2.

- 16) The Applicant should consider installing signage, including a map with mileage, at each end of the proposed walking trail, and should provide detail on the construction material, width, and maintenance plan for the walking path.

July 28th Comment: In memo from Azimuth Land Design, LLC dated July 27, 2021, the Applicant states that the path will be hand blazed and will not contain special surfacing. It will be cleared twice a year. I recommend including this as a Condition of Approval and specifying a minimum width of 4' and inclusion of trail signage where it intersects Hillcrest Circle.

- 17) The Applicant should provide detail on the design, materials, and maintenance plan of the proposed dog park. I would recommend a 5' tall black vinyl-coated chain-link fence for the perimeter, trash bins for dog waste, and signage for policies and hours of operation. A maintenance plan should be provided for the upkeep of the dog park area. If hours of operation go beyond dusk at points throughout the year, the Applicant should consider installing lighting, in accordance with 12.45(t).

July 28th Comment: In memo from Azimuth Land Design, LLC dated July 27, 2021, the Applicant states that the surface will be stone dust, the park will be encircled by a 4' tall black coated chain link fence, and trash bins for dog waste and signage for policies and hours of operation will be installed. A maintenance plan shall be provided for the upkeep of the dog park. I recommend inclusion of a Condition of Approval requiring submission of the signage and maintenance plan to the Director of Planning & Development for review and approval prior to issuance of a building

release for the 10th duplex structure. Construction of the dog park should be completed prior to issuance of a building release for the 15th duplex structure.

- 18) The Applicant should denote the location of exterior mailboxes, if any, and include a detail.

July 28th Comment: The location of the central mailbox structure is now shown on Sheet LS-1 of the site plan, but a detail is not provided. Please revise the site plan to include a detail of the mailbox structure/enclosure.

September 21st Comment: My July 28th Comment is partially addressed. The detail was not provided, however a note on Sheet D4 lists the specifications in narrative form. The purpose of requesting a detail of the central mailbox is so that the Planning Board can determine what it will look like and whether it will be enclosed within a structure. Given the frequency of inclement weather in New England, I recommend enclosing the mailbox within a roofed structure. This could be included as a Condition of Approval.

November 16th Comment: This comment is addressed by the submission of a cut sheet for Cluster Box Units from Florencemailboxes.com.

- 19) Please demonstrate that all turning radii are sufficient to accommodate the Fire Department's Tower 1 truck (truck specifications are attached). Hydrant locations are subject to Fire Department review and approval.

July 28th Comment: In memo from Azimuth Land Design, LLC dated July 27, 2021, the Applicant states that the turning radius is sufficient, but did not demonstrate that on the plan. Also, comment has not yet been received from the Fire Chief approving hydrant locations.

September 21st Comment: My July 28th Comment is not addressed.

November 16th Comment: My July 28th Comment is not addressed.

- 20) Due to the presence of wetlands and proximity of the project to the Town's water supply reservoirs, I recommend inclusion of a Condition of Approval stating that no sodium based de-icing agents shall be utilized on the site. Agents such as potassium chloride or calcium chloride are deemed acceptable for usage at the site.

- 21) In accordance with Zoning Bylaws Design Standard Section 12.45(f), please specify that areas to be planted shall contain good quality loam of not less than 6" compacted depth.

July 28th Comment: This comment is not yet addressed by the Plan modifications. Note that in addition to the notes on Sheets LS-2 and D4, the Hillcrest Circle Cross-Section on Sheet D2 should be updated to reflect loam with a compacted depth of 6".

September 21st Comment: This comment is addressed by plan modifications.

- 22) In accordance with Millbury Municipal Code, Chapter 13.15, please submit TSS, Total Phosphorus and Nitrogen removal calculations.

July 28th Comment: This comment is not yet addressed.

September 21st Comment: This comment is not addressed by the updated submittal. In letter dated September 20, 2021 from Azimuth Land Design, LLC, the Applicant states that the TSS removal

calculations were submitted as part of the Stormwater Report Checklist, which is not on file with this office. Also, Total Phosphorus and Nitrogen removal calculations are still outstanding.

November 16th Comment: The requested information was submitted.

- 23) Please submit an Erosion & Sediment Control Plan depicting the location of the anti-tracking pad, settling basins, soil stockpiles, and other measures described on Sheet D4.

July 28th Comment: This comment is not yet addressed.

September 21st Comment: This comment is partially addressed. Although a separate Erosion & Sediment Control Plan was not submitted, explanation was provided in narrative form to address some of these concerns. However, to minimize confusion and conform with Municipal Code, Chapter 13.15.070, I recommend inclusion of a Condition of Approval requiring submission of an Erosion and Sediment Control Plan for Planning Board review and approval prior to construction activities.

November 16th Comment: This comment is addressed by plan modifications.

- 24) Rice Road is in poor condition. Comment should be received from the DPW Supervisor regarding the paving schedule, which I understand was originally planned for 2021.

July 28th Comment: It is my understanding that the DPW is working with the developer to coordinate utility stub installation prior to repaving, which is scheduled for September/October 2021.

- 25) Please update the Site Plan so that it complies with Subdivision Rules and Regulations, Section 5.3(3).

July 28th Comment: This comment is not fully addressed. In particular, the profile should show existing ground on the center line in a solid black line, the existing right side in a short dash line and the existing left side in a long dash line. Only 1 existing contour line is depicted (center line?). Also, I am concerned about the significant cuts proposed and suggest minimizing them where possible. Will the extra material be shipped off site? An Earth Removal Permit may be necessary if the amount removed exceeds the thresholds identified in Millbury Municipal Code, Chapter 12.20.

September 21st Comment: This comment is addressed by changes to the profile sheets.

- 26) The design of Hillcrest Circle should comply with Subdivision Rules and Regulations Section 6.7. Please revise accordingly.

July 28th Comment: The plan was modified to comply with this requirement by providing two separate means of egress. As stated above, written waiver request should be submitted regarding the paved width of Hillcrest Avenue. I believe that reduction in width to 22' is justified given the extra off-street parking provided and the Town's goals of reducing stormwater runoff and maximizing infiltration.

September 21st Comment: The Applicant submitted a written waiver request from Subdivision Regulations, Section 6.7(6) regarding the requirement for a 26-foot-wide traveled way for a roadway serving 46 units. Since the Applicant is providing 15 extra off-street parking spaces, the roadway will be one way from Station 1+75 to its terminus at Station 14+08, and the Town is

looking for ways to minimize the amount of impervious surfaces to comply with our MS4 Permit, I recommend that the Planning Board grant this waiver request.

Additional Comments:

- 27) *The Applicant has offered to supply 6 affordable units for low-income persons suffering from mental, intellectual or physical disabilities in an offsite location within the Town of Millbury. I recommend reflecting this as a Condition of Approval.*
- 28) *The Applicant offered to provide \$50,000 in improvements to Windle Field recreation facilities. I recommend reflecting this as a Condition of Approval.*

September 21st Comments:

- 29) *The Applicant submitted a written waiver request from Zoning Bylaws, Section 12.44(c)-requirement to submit an isometric line drawing. The Planning Board should decide whether they are amenable to the grant of this waiver request.*
- 30) *The Applicant submitted a written waiver request from Zoning Bylaws, Section 12.44(d)-requirement to submit a locus plan at the scale of 1"=100'. The Locus Plan is not-to-scale and the Existing Conditions Plan is at the scale of 1"=30'. The Planning Board should decide whether they are amenable to the grant of this waiver request.*
- 31) *The Applicant submitted a written waiver request from Subdivision Regulations, Section 6.7.4(i) of the Subdivision Rules and Regulations requiring developments with 20 or more dwelling units to have 2 or more points of access. The developer proposed an alternative design depicting a loop road with two means of egress on Rice Road, however the majority of the Planning Board members expressed preference for the prior design depicting a single means of egress on Rice Road. I do not recommend construction of a second means of egress along the South Main Street frontage due to the presence of wetlands, an exclusive easement granted to an abutter and the intersection of South Main Street and Rice Road, which has issues with geometry.*
- 32) *The Applicant submitted a written waiver request from Subdivision Regulations, Section 7.5 regarding the requirement for a 5-foot-wide grass strip between the curb and the sidewalk. The Applicant proposes to locate the grass strip on the opposite side of the sidewalk. The Planning Board should decide whether they are amenable to the grant of this waiver request.*
- 33) *The Applicant should submit a response to Stantec's traffic review comments dated May 4, 2021.*

November 16th Comment: Comment letter from AK Associates dated November 2, 2021 has been received.