

**J.M. GRENIER ASSOCIATES INC.**  
LAND PLANNING • CIVIL ENGINEERING

325 Donald Lynch Blvd Suite 100  
Marlborough, MA 01752  
Tel: 508-845-2500

**RECEIVED**

June 25, 2021

JUN 30 2021

Millbury Planning Board  
127 Elm Street  
Millbury, Massachusetts 01527

MILLBURY PLANNING BOARD

**RE: 19 Canal Street**

Dear Members of the Board:

This letter is in response to comments received by this office on June 8, 2021 from the Planning Director regarding the above referenced project. We have reviewed these comments and provide the following responses. For clarity we have inserted The Planning Director's comments followed by our responses in bold.

Our responses are as follows:

1. The Applicant requests the following waivers from the Zoning Bylaws:
  - a. Section 12.44(a): Waiver to submit site plans at a scale of 1"=30' instead of 1"=20'. I recommend the grant of this waiver so that the entire project and abutters can be shown on a single sheet.
  - b. Section 12.44(c): Waiver from the requirement to submit an isometric line drawing. The Planning Board should determine if they are amenable to the grant of this waiver request.
  - c. Section 12.44(e): Waiver from the requirement to submit elevation plans at a scale of 1/4"=1' or 1/2"=1'. A scale of 3/32"=1' was provided. The Planning Board should determine if they are amenable to the grant of this waiver request.
  - d. Section 12.44(f)(4): Waiver from the requirement to submit a detailed Historic Impact Assessment. Please see attached narrative concerning this property from the "Inventory of Historic Properties" as recorded by the Millbury Historic Commission in 1988. Note that the structure described in that narrative has since been demolished.
  - e. Section 12.44(o): Waiver from the requirement to install concrete curbs and gutters around the perimeter of all driveways and parking area. The applicant proposes to install vertical granite curb at the perimeter of all parking areas and sloped granite curbing for the interior island at the driveway entrance. I strongly support the grant of this waiver request as granite curb is a superior product to concrete curb and lasts longer.
  - f. Section 12.45(r): Waiver from the requirement that walkways be constructed with brick, decorative pavers or other materials. The Applicant proposes to install concrete sidewalks instead. I support the grant of this waiver request for maintenance and ADA-compliance reasons.

- g. Section 12.45(r): Waiver from the requirement to install car stops. I support the grant of this waiver request as the Applicant is proposing to install vertical granite curb where parking spaces abut landscaped areas.
- h. Section 33.2: Waiver from the requirement to install a total of 132 parking spaces based on the requirement of 3 spaces per 2 bedroom unit and 2 spaces per 1 bedroom units. The Applicant proposes to install a total of 110 parking spaces in a combination of surface parking (92 spaces) and garages (18 spaces), which equates to 1.5 spaces per 1 bedroom apartment and 2.5 spaces per 2 bedroom apartment. I recommend that the Planning Board grant this waiver request for the following reasons:
- The proposed parking ratio is identical to that of the Cordis Mills development, which is within easy walking distance to the development. According to the property manager of Cordis Mills (see email from Dolben Associates dated April 30, 2021), the occupancy rate of the 112 apartments is 97% and the parking lot is more than adequate to meet the demand.
  - The proposed project is located within a 5 minute walk of the WRTA bus stop at the intersection of Main/Elm/South Main Streets. Bus 4 serves Millbury Center by way of the Shoppes of Blackstone Valley and Union Station in Worcester.
  - The proposed project is located within Millbury Center, which is becoming a more walkable and bicycle-friendly downtown due the Armory Village Revitalization Project. Easy access to the WRTA bus stop and downtown businesses by foot and bicycle will decrease residents' reliance on automobiles.
- Note that due to the amendments to the Zoning Act that went into effect in January 2021, this waiver request requires a majority versus supermajority vote.

**Acknowledged.**

2. The proposed building does not meet the maximum height requirement of 40' and will need a variance from the Board of Appeals for 3'7". In my opinion, the architecture of the building is attractive and the height is consistent with many of the taller buildings within Millbury Center including churches, Cordis Mills, the Ducharme block, and the Centerview apartment complex. It is my understanding that the Applicant has filed the variance application with the Board of Appeals and is awaiting the start of the public hearing.

*June 7<sup>th</sup> Comment: I understand that the Board of Appeals approved the Variance. The Applicant should provide a copy of the decision for reference purposes.*

**A copy of the decision will be provided once it is issued.**

3. Zoning Bylaws, Section 12.44(a) and (e) requires scaled building elevation/façade plans for all proposed buildings. Please provide elevation drawings for the proposed garages. Please pay careful attention to the appearance of the garages from Railroad Court.

*June 7<sup>th</sup> Comment: The elevation drawings of the garages were submitted. I recommend that the Applicant use architectural elements to break up the solid walls where the garages abut Railroad Court. I recommend a similar façade to the garages along the Howe Avenue frontage of the Cobblestone Village development.*

**Agreed.**

5. In accordance with Zoning Bylaws, Section 12.44(a), please modify the site plan as follows:
  - b. Submit the structural design and dimensions of freestanding signage. In accordance with Zoning Bylaws, Section 34.6, the Planning Board is the special permit granting authority for freestanding signs within the Business I District.

*June 7<sup>th</sup> Comment: This comment is partially addressed. A photo was submitted that depicts a freestanding sign consisting of a development name carved into a rock that will be up-lit via a spot light. The dimensions of the sign/rock were not provided.*

**Dimension of the proposed signage have been provided for the Board to review.**

6. Comment should be received from the School Department regarding the proposed access to Windle Field. Note that the developer approached me about making or helping to finance improvements at Windle Field. A site visit is scheduled with the developer and the School Department on May 10<sup>th</sup>.

*June 7<sup>th</sup> Comment: The site visit occurred as specified above. The site visit was attended by the Applicant, School Business Manager Rick Bedard, Assistant Planner Conor McCormack and I. At the meeting, all parties agreed that appropriate improvements to Windle Field could include replacement of the three tennis courts, basketball court and associated fencing. Another improvement discussed during the site visit was the establishment of a walking path around the perimeter of the recreation facilities. The Applicant volunteered to provide a preliminary design of these improvements (see concept), which I forwarded to Rick Bedard for comment upon receipt. The concept depicts replacement of the three tennis courts, basketball court and associated fencing, as well as construction of a 6' wide stone dust path around the perimeter of the park. One of the tennis courts would be striped for pickleball. During a subsequent meeting with the Planning Director, the Applicant verbally agreed to donate the sum of \$50,000 towards the cost of these improvements. I recommend inclusion of a Condition of Approval to enact this provision. I also recommend obtaining written confirmation from the School Department that they are amenable to direct access to Windle Field from the Canal Street project via a gate. Note that the Site Plan should be revised to depict the location of the proposed gate.*

**Acknowledged. The gate has been added to the plan.**

7. Please specify the purpose of the three monitoring wells located onsite and provide the results of any tests. Note that this information should have been provided as part of the Environmental Analysis.

*June 7<sup>th</sup> Comment: The design engineer stated that the Applicant commissioned the monitoring wells to assess the subsurface conditions. The letter from Corporate Environmental Advisors dated November 5, 2020 calls for follow up work, including additional assessment and response actions under the oversight of a Licensed Site Professional. Of particular concern are MCP RCS-1 Reportable Concentrations of*

*arsenic and lead within one sample. Please explain the follow-up activities conducted in response to the Phase II Limited Subsurface Investigation recommendations.*

**A copy of the transmittal letter of a Supplemental Assessment prepared by CEA has been provided.**

8. The Applicant may want to consider making 6 (or 10%) of the units affordable to low or moderate income households for a period of 30 years. The benefit to the developer is that approval of this project will require a majority versus supermajority vote if 10% of the units are affordable. The benefit to the Town is that inclusion of affordable units will help Millbury meet its mandatory 10% affordable housing set aside under MGL Chapter 40B.

*June 7<sup>th</sup> Comment: The Applicant submitted a proposal whereby the Applicant would construct 6 units of low income housing (65% AMI) within a 24-hour staffed residential program for people with psychiatric, physical, sensory, developmental or other disabilities (see proposal from Kincasa, Inc. dated May 7, 2021). The units would be constructed within 1-2 group homes located off-site but within the boundaries of the Town of Millbury. Is the Planning Board amenable to this option? If so, I recommend inclusion of a Condition of Approval to enact this provision. Units should be included on the Chapter 40B Subsidized Housing Inventory.*

**Acknowledged.**

9. Please provide a detail of the proposed black chain link fence. Based on my experience with the Butler Farm Bark Park, I recommend installation of a 5' tall black weather-resistant chain link fence encircling the dog park.

*June 7<sup>th</sup> Comment: A detail of a 4' tall galvanized chain link fence was included on Sheet 10. I recommend inclusion of a Condition of Approval requiring a black weather resistant chain link fence and that the fence encircling the dog park shall be 5' tall. Large dogs may be able to jump over a 4' fence.*

**A height of the fence around the dog park has been increased to 5 feet.**

11. An 8' wide stone dust bike/walking path is proposed, a portion of which will be located adjacent to Railroad Court- a gravel roadway with no sidewalk. I recommend paving that portion of the bike/walking path that abuts Railroad Court and installing curb to differentiate the walkway from the gravel travel way. This will provide some level of protection for pedestrians and discourage parking on the path.

*June 7<sup>th</sup> Comment: This comment is partially addressed. Sheet 3 of the revised site plan states that the path will be paved and have concrete berm, however the "Cape Cod Berm" detail on Sheet 8 is not specific enough. For example, it should specify the thickness of the processed gravel base (8" per Subdivision Regulation spec), as well as the pavement thickness (3" minimum). Also, to avoid confusion, it should be labeled "Multi-purpose Path" instead of "Cape Cod Berm" and specify the width of the path. Please modify accordingly.*

**The details have been revised.**

12. The Site Plan shows one-way access and exit that is separated by a landscaped island. Please clarify whether the circulation around the entire parking lot will be one-way. If so, signage and arrows should be installed to make that clear. Also, the Applicant may wish to consider angling the parking.

*June 7<sup>th</sup> Comment: The site plan shows one-way arrows mid-way through the site and a one-way sign at the parking lot entrance. To avoid confusion, additional arrows and signage should be installed, particularly at the intersection of the driveways and Canal Street.*

**Additional arrows and signage have been provided.**

13. Please submit engineered retaining wall plans for Planning Board review and approval for any wall that shall retain 4 or more feet of unbalanced fill.

*June 7<sup>th</sup> Comment: A general detail for all retaining walls appears on Sheet 10. I recommend inclusion of a Condition of Approval requiring submission of engineered retaining wall designs for Planning Board review and approval prior to initiation of construction activities.*

**Acknowledged.**

14. Zoning Bylaws, Section 12.45(a) states that existing trees should be preserved where possible. Please identify where existing trees on the site can be preserved.

*June 7<sup>th</sup> Comment: Based on the response within the letter from J.M. Grenier Associates Inc. dated June 3, 2021, it is the Applicant's intent to clear cut all remaining trees along the perimeter of the site. The Planning Board should determine if they are amenable to this approach.*

**Agreed.**

15. The existing chain link fence surrounding the property is in poor condition. The Applicant may wish to consider removing sections of fence and replacing other sections to discourage trespassing. For example, the Applicant may wish to install a stockade fence where it abuts the property N/F owned by GADS Realty, LLC and Jeffrey W. Remillard.

*June 7<sup>th</sup> Comment: The site plan was revised to depict a new 6' tall stockade fence abutting the GADS Realty property and a new 4' high chain link fence on top of the proposed retaining wall abutting the Remillard property. The existing fence abutting Railroad Court will be removed. I recommend a Condition of Approval requiring installation of a gate where the stone dust bike/walking path abuts the GADS Realty property. That way, access will be provided if the bikeway spur that runs parallel to Riverlin Street along much of its length is ultimately constructed in accordance with a Master Plan recommendation.*

**Acknowledged. A gate abutting the GADS property has been added to the plan.**

19. Please address Stantec's traffic impact study comments dated May 4, 2021.

**The traffic engineer will be providing responses with a separate letter.**

Respectfully,

*John Grenier*

John Grenier  
J.M. Grenier Associates Inc.

cc: Elite Home Builders, LLC