

TOWN OF MILLBURY, MASSACHUSETTS
The Planning Board

NOTICE OF DECISION ON
MULTI-FAMILY SPECIAL PERMIT
SITE PLAN REVIEW and
POST-CONSTRUCTION STORMWATER MANAGEMENT PERMIT
19 CANAL STREET

2021 OCT -1 AM 9:52
MILLBURY, MASS.

Applicant/Owner:
Elite Home Builders, LLC
PO Box 1205
Westborough, MA 01581

Date: September 27, 2021

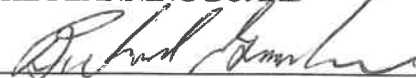
Premises Affected:
19 Canal Street, Assessor's Map 45, Parcel 207A
Millbury, MA
Zoning District: Business I

Referring to the above application to construct a 59-unit, multi-family development and related infrastructure (the "Application"), the Planning Board held a public hearing on Monday, May 10, 2021 and continued to June 14, 2021, July 12, 2021, August 9, 2021, September 13, 2021, and September 27, 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 and Chapter 20 of the Acts of 2021. After closing the public hearing, the Planning Board at its meeting on September 27, 2021 voted to **GRANT** a Multi-family Special Permit pursuant to Zoning Bylaws, Section 14.11 (a), Site Plan Approval pursuant to Zoning Bylaws, Section 12.4, and 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), Mat Ashmankas (no), Bruce Devault (yes), Terry Burke Dotson (no), Paul Piktelis (yes).

The decision of the Planning 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 October 1, 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 Elite Home Builders, LLC

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 Elite Home Builders, LLC, for a Multifamily Special Permit under Section 14.11(a) of the Zoning Bylaws, for Site Plan Review under Section 12.4 of the Zoning Bylaws and for a Post- Construction Stormwater Management Permit pursuant to Chapter 13.15 of the Millbury Municipal Code, for the property located at 19 Canal Street, Assessors Map 45, Parcel 207A, in the Business I District. (the “Property”).

The Applicant desires to construct a 59-unit garden style multi-family structure, 110 parking spaces, of which 18 spaces will be located within 4 garage structures, and associated improvements at the Property, along with a 7-unit group home permanently restricted as affordable to households whose income is less than 65% of area median income, to be located in a new single-family structure located at a separate site (the “Project”).

1. The Property and Project are shown on a plan entitled “Site Development Plan for 19 Canal Street, Millbury, Massachusetts 01527”, dated April 9, 2021, amended through September 21, 2021, prepared by J.M. Grenier Associates Inc., 325 Donald Lynch Boulevard, Suite 100, Marlborough, MA.
2. 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 June 30, 2020	Town of Millbury Zoning Bylaws
As amended through June 30, 2020	Millbury Municipal Code
April 9, 2021, last revised September 21, 2021	“Site Development Plan For 19 Canal Street, Millbury, Massachusetts 01527” prepared by J.M. Grenier Associates, Inc.
August 12, 2021	“Parking Expansion Plan” prepared by J.M. Grenier Associates, Inc.
August 12, 2021	“Railroad Court Access Option” prepared by J.M. Grenier Associates, Inc.
August 21, 2020, last revised May 24, 2021	Floor plans, elevation plans and sections prepared by HPA Design, Inc.
May 26, 2021	Photometric plan prepared by Visual
Undated	American Revolution Deluxe LED street light specifications by American Electric Lighting
July 20, 2021	Area Topographic Plan prepared by J.M. Grenier Associates, Inc.

June 25, 2021	Drainage plans prepared by J.M. Grenier Associates, Inc.
June 3, 2021	“Windle Field Park Improvements, 33 Canal Street in Millbury, Mass.” prepared by Azimuth Land Design, LLC
June 25, 2021	“Signage, 19 Canal Street, Millbury, MA 01527” prepared by J.M. Grenier Associates, Inc.
April 9, 2021	“Development Impact Report, 19 Canal Street, Millbury, Massachusetts” prepared by J.M. Grenier Associates Inc.
April 9, 2021	“Fiscal Impact Report, 19 Canal Street, Millbury, Massachusetts” prepared by J.M. Grenier Associates Inc.
April 2021	“Traffic Impact Study, Canal Street Residential Development, Millbury, MA”, prepared by WSP USA
July 2021	“Traffic Impact Study Prepared for Canal Street Residential Development, Located on Canal Street, Millbury, Massachusetts” prepared by AK Associates
April 9, 2021	“Stormwater Management Report, 19 Canal Street, Millbury, Massachusetts” prepared by J.M. Grenier Associates Inc.
June 3, 2021	“Operation and Maintenance Plan, 19 Canal Street, Millbury” prepared by J.M. Grenier Associates Inc.
November 5, 2020	“Transmittal Letter Phase II Limited Subsurface Investigation, Map 45 Lot 207A, Millbury, Massachusetts, CEA File 0955-20” prepared by Corporate Environmental Advisors
November 25, 2020	“Supplemental Assessment Report, Map 45 Lot 207A, Near 23 Canal Street, Millbury, Massachusetts, CEA File 0955-20” prepared by Corporate Environmental Advisors
August 20, 2021	Letter from Lasting Environmental Solutions, Inc. RE: Limited Removal Action (LRA) Completion Report, Assessors Map 45, Lot 207A, Canal Street, Millbury, Massachusetts
May 27, 2021	Board of Appeals Notice of Conditional or Limited Variance or Special Permit
May 7, 2021	Letter from Kincasa, Incorporated
April 9, 2021	Letter from J.M. Grenier Associates Inc. RE: 19 Canal Street Site Plan Submission Waivers
June 3, 2021	Letter from J.M. Grenier Associates Inc. RE: Response to Stantec Comments
June 3, 2021	Letter from J.M. Grenier Associates Inc. RE: Response to Planning Director Comments
June 25, 2021	Letter from J.M. Grenier Associates Inc. RE: Response to Stantec Comments
June 25, 2021	Letter from J.M. Grenier Associates Inc. RE: Response to Planning Director Comments
September 20, 2021	Email from J.M. Grenier Associates Inc. RE: Railroad Ct- Abutter Plan
November 23, 2020	Site Inspection Report prepared by Stantec
May 4, 2021	Letter from Stantec
May 6, 2021	Letter from Stantec

July 8, 2021	Letter from Stantec
August 5, 2021	Letter from Stantec
April 30, 2021	Planning Director Questions, Comments and Recommendations
June 7, 2021	Planning Director Questions, Comments and Recommendations
July 6, 2021	Planning Director Questions, Comments and Recommendations
September 2, 2021	Email to Planning Board from Planning Director
July 7, 2021	Email from School Business Manager to Laurie Connors
August 26, 2021	Email from Police Chief to Laurie Connors
May 10, 2021	Email from Fire Chief to Marc Millette
August 26, 2021	Email from Fire Chief to Laurie Connors
August 11, 2021	Letter from Town Clerk RE: Kennel
September 16, 2021	Email from Assistant Assessor to Laurie Connors
November 18, 2020	Letter from Building Inspector to James Almonte RE: Proposed Canal Street Apartments ZDET 20-17 Request
April 30, 2021	Email from Paula Ludovico to Laurie Connors RE: Cordis Mills Parking
May 9, 2021	Email from Marc Millette to the Planning Board
May 26, 2021	Email from Marc Millette to Nick Lazzaro (School Committee member)
September 3, 2021	Email exchange between Marc Millette and Laurie Connors
September 11, 2021	Email from Marc Millette to Laurie Connors
September 22, 2021	Email from Marc Millette to Laurie Connors
September 10, 2021	Email from Jeff Fenuccio to Laurie Connors

3. On April 12, 2021, the Applicant submitted application materials to the Planning Board, a true copy marked as Exhibit A.
4. 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 April 22, 2021 and April 29, 2021 and posted by the Town Clerk on April 13, 2021. 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.

5. On May 10, 2021, 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 June 14, 2021, July 12, 2021, August 9, 2021, September 13, 2021, and September 27, 2021, at which time the Planning Board voted to close the public hearing. Five members of the Planning Board were present at each session of the public hearing when testimony was taken. 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 12.44(a): Waived the requirement to submit site plans at a scale of 1"=20'.
 - b. Section 12.44(c): Waived the requirement to submit an isometric line drawing.
 - c. Section 12/44(e): Waived the requirement to submit elevation plans at a scale of 1/4"=1' or 1/2"=1'.
 - d. Section 12.44(f)(4): Waived the requirement to submit a detailed Historic Impact Assessment.
 - e. Section 12.44(o): Waived the requirement to install concrete curbs and gutters around the perimeter of all driveways and parking areas. Vertical granite curb shall be installed around the perimeter of all parking areas and sloped granite curb around the interior island at the driveway entrance.
 - f. Section 12.45(r): Waived the requirement to construct walkways with brick, decorative pavers or other materials. Concrete walkways shall be installed.
 - g. Section 33.2: Partially waived the requirement to construct 22 parking spaces upon finding the special circumstances of the Project and likely parking demand from the residents render 110 parking spaces in a combination of surface parking (92 spaces) and garages (18 spaces) adequate for the Project's parking needs; provided that the site has been designed to accommodate all of the parking spaces required by the Zoning Bylaws and if the Planning Board determines, within one year of full occupancy of the Project, that the parking spaces within the Project are inadequate to meet the needs of the residents of the complex, the Planning Board shall require the developer to construct the 22 additional parking spaces in accordance with the plan entitled: "Parking Expansion Plan", dated August 12, 2021, prepared by J.M. Grenier Associates Inc.
6. 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: (i) the Project is a multifamily development within 1/2 mile of a WRTA bus station located at Main Street and Elm Street with not less than 10% of the total number of dwelling units (7 dwelling units) provided in an off-site location that are permanently affordable to households whose income is less than 65% of area median income; (ii) the Project is in conformance with the Millbury Zoning Bylaw and Municipal Code subject to the waivers identified in Section 5, and (iii) the Project is in harmony with the general purpose of the Zoning Bylaws, specifically Section 25 (Business Districts) because the Project, as designed and conditioned by this decision, is compatible with neighboring residential and commercial uses and provides new housing options in the Town's commercial center; voted to **GRANT** the 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 sewer connection and 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. If at any time during construction, the Applicant encounters any conditions which may indicate a release of oil/hazardous material not already addressed, then the Applicant shall hire a Licensed Site Professional to evaluate those conditions and determine the most appropriate course of action. The Applicant shall notify the Planning Board and MassDEP if determined appropriate by the Licensed Site Professional.
- f. The sewer service shall be installed and inspected in accordance with the requirements of the Millbury Department of Public Works (DPW).
- g. Water and fire suppression services shall be installed in accordance with the requirements of Aquarion Water Company and the Millbury Fire Department.
- h. All sidewalks and ramps constructed as part of the 19 Canal Street development and off-site mitigation shall comply with the requirements of the Massachusetts Architectural Access Board.
- i. The rear elevation of garages abutting Railroad Court shall be modified to eliminate blank walls adjacent to Farnsworth Court. Windows or other design elements shall be used to break up the blank walls. Prior to construction activities, the Applicant shall submit, for Planning Board review and approval, a modification to the rear elevations detail on Sheet G1.1 of the plan entitled "Garage Plans and Elevations" dated August 21, 2020, prepared by HPA Design, Inc. to enact this provision.
- j. Prior to construction activities, the Applicant shall:
 1. Address the driveway sightline issue related to the existing utility pole located west of the proposed site driveway. The Applicant should consider relocation of the existing utility pole.
 2. Submit a mounding analysis for infiltration chambers #1 and #3 for Planning Board review. The Planning Board may require modifications to infiltration chambers #1 and #3 depending upon the results of the mounding analysis.
 3. Submit a Stormwater Pollution Prevention Plan (SWPPP). The project is covered by a NPDES Construction General Permit.
 4. 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. 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, by first class mail, that the amount on deposit has been decreased by the expenditure described herein to an amount at or below one-half (1/2) of the initial deposit. If the Applicant failed 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 a Certificate of Completion, 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.

5. 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.
 6. Provide final designs of proposed retaining walls for Planning Board review and approval. All walls retaining 4' or more of unbalanced fill require a building permit and structural engineer-stamped drawings.
- k. Seven units (10% of the total number of dwelling units within the 19 Canal Street development and the separate group home) shall be accommodated within a new single-family home to be constructed in an off-site location within the Town of Millbury and located within ½ mile of the bus station located at Main Street and Elm Street and permanently designated as affordable to low-income households (up to 65% of Area Median Income (AMI)) as defined by the MA Department of Housing and Community Development (DHCD). The group home shall accommodate people with psychiatric, physical, sensory, developmental, or other disabilities, all of whom have been found eligible under the guidelines and regulations of the Facilities Consolidate Fund (FCF). The group home shall be licensed through the MA Department of Developmental Disabilities (DDS) and/or the Massachusetts Department of Mental Health (DMH). The Applicant shall satisfy all requirements so that all 7 of the units will be included on the DHCD Subsidized Housing Inventory for the Town of Millbury prior to issuance of an occupancy permit for the multifamily structure at 19 Canal Street, such that the Town of Millbury's Subsidized Housing Inventory is credited for 7 additional housing units. Site development plans for the group home shall be presented to the Planning Board for review and approval prior to issuance of a building permit for any of the 59 units on the Property, and no certificate of occupancy for the Property shall be issued until a certificate of occupancy has been issued for the group home. Prior to the issuance of a building permit for the group home, the developer shall submit a final regulatory agreement, monitoring services agreement, and a deed rider confirming the affordability

requirements set forth in this condition to the Planning Board and Town Counsel for review and approval.

1. Prior to issuance of an occupancy permit, the Applicant shall:
 1. Donate the sum of \$50,000 to the Town of Millbury for the purpose of upgrading the recreation facilities at Windle Field.
 2. Paint a crosswalk at the intersection of the development's site driveway and Church Street and provide ADA-accessible ramps at the proposed crosswalk location.
 3. Trim the vegetation along the property's Canal Street frontage, particularly to the west side of its intersection with the development's site driveway, in order to provide optimum sight distances.
 4. Provide copy of the recorded access easement to the turnaround area off of Railroad Court to be granted to the owner of 3-5 Railroad Court.
 5. Provide copy of the recorded, relocated sewer easement to be granted to the owner of 3-5 Railroad Court.
- m. If authorized to do so by the School Department, the Applicant shall construct a 6-foot-wide ADA-compliant stone dust path from their entrance to Windle Field to the parking lot. The stone dust path shall consist of 4" compacted depth of stone dust on an 8" compacted depth gravel base.
- n. In lieu of the 4' tall black chain link fence with privacy slats, the Applicant shall install a 4' tall stockade fence where abutting Railroad Court and the western property line.
- o. The Applicant shall design, fabricate and install an interpretive sign that describes the historic use of the property as a railroad station. The sign shall be consistent in design and materials to the interpretive signage installed at the Asa Waters Mansion and Felter's Mill. The Applicant shall consult with the Planning Director, Millbury Historical Society and the John H. Chafee Blackstone River Valley National Heritage Corridor Commission on narrative and artwork. Final sign design is subject to Planning Board review and approval.
- p. 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.
- q. 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 ensure availability of the work to be inspected as required herein.
- r. If blasting occurs, no perchlorate shall be used. The Applicant shall sample and analyze all wells for compounds contained in the propose 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.

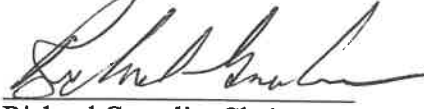
- s. When earth movement and/or blasting activities occur at the site, a water truck shall be present to ameliorate dust.
- t. A port-o-john shall be maintained on the job site throughout the construction process.
- u. Throughout construction activity, the Applicant shall maintain a dumpster on site to dispose of construction debris.
- v. Parking lot and area lighting shall be installed such that there is no spillover of light onto abutting residentially occupied properties.
- w. The Applicant shall install a bike rack on-site at a location and of a design to be approved by the Planning Director.
- x. 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.
- y. 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.
- z. The Applicant shall ensure proper maintenance of plantings on the site, including replacement of dead or diseased plantings in the following planting season.
 - aa. The multifamily structure shall have an NFPA 13 sprinkler system installed.
 - bb. Six months after the development is fully occupied, the Applicant shall submit a supplemental traffic analysis of the signal timings and recommend adjustments to reduce delays if necessary. The Applicant shall submit a performance guarantee to ensure compliance with this Condition.
 - cc. 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.
 - dd. Hours of operation related to the construction of the multi-family development (site work only) shall be limited to 7:00 AM to 5:00 PM, Monday through Friday, 8:00 AM to 4:00 PM on Saturday. Loaders cannot load trucks prior to 7:30 a.m.
 - ee. 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.

- ff. This permit shall lapse if a substantial use thereof or construction has not begun, except for good cause, within 18 months of issuance (excluding such time required to pursue or await determination of an appeal).
- gg. 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), Mathew Ashmankas (no), Bruce DeVault (yes), Terry Burke Dotson (no), Paul Piktelis (yes).

MILLBURY PLANNING BOARD



Richard Gosselin, Chairman

Exhibit A

TOWN OF MILLBURY
APPLICATION FOR SITE PLAN REVIEW

RECEIVED
TOWN CLERK (D)

2021 APR 12 PM 3:32

MILLBURY, MASS

APPLICANT:

NAME Elite Home Builders, LLC
STREET P.O. Box 1205 CITY/TOWN Westborough
STATE MA ZIP 01581 TELEPHONE (508) 560-9440

NAME OF PROPERTY OWNER (if different from Applicant) _____

Deed recorded in the Worcester District Registry of Deeds Book 64812 Page 312

SITE INFORMATION:

STREET AND NUMBER 19 Canal Street

ZONING DISTRICT B-1 ASSESSOR'S MAP/LOT #(S) Map 45 Parcel 207A

LOT SIZE 2.76 Ac. FRONTAGE 119.84

CURRENT USE Vacant

PROJECT PLAN INFORMATION:

PLAN TITLE Site Development Plan for 19 Canal Street

PREPARED BY (name/address of PE/Architect) J.M. Grenier Associates, Inc.
325 Donald Lynch Boulevard Suite 100 Marlborough, MA 01752

DATES 4/9/21

USES FOR WHICH SITE PLAN REVIEW PERMIT IS SOUGHT (refer to the Zoning Bylaw - Use Regulation Table):

Multifamily dwellings

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

Section 12.41(b), 12.41(c), 14.11(a), 25.21, 25.3, 32.8

TO THE MILLBURY PLANNING BOARD:

The undersigned, being the Applicant named above, hereby applies for Site Plan Review 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) _____

**TOWN OF MILLBURY
APPLICATION FOR SPECIAL PERMIT**

APPLICANT:

NAME Elite Home Builders, LLC

STREET P.O. Box 1205 CITY/TOWN Westborough

STATE MA ZIP 01581 TELEPHONE (508) 560-9440

NAME OF PROPERTY OWNER (if different from Applicant) _____

Deed recorded in the Worcester District Registry of Deeds Book 64812 Page 312

SITE INFORMATION:

STREET AND NUMBER 19 Canal Street

ZONING DISTRICT B-1 ASSESSOR'S MAP/LOT #(S) Map 45 Parcel 207A

LOT SIZE 2.76 Ac. FRONTAGE 119.84

CURRENT USE Vacant

PROJECT PLAN INFORMATION:

PLAN TITLE Site Development Plan for 19 Canal Street

PREPARED BY (name/address of PE/Architect) J.M. Grenier Associates Inc.
325 Donald Lynch Boulevard Suite 100 Marlborough, MA 01752

DATES 4/9/21

USES FOR WHICH SPECIAL PERMIT IS SOUGHT (refer to the Zoning Bylaw – Use Regulation Table): _____

Multifamily dwellings, Stormwater Special Permit

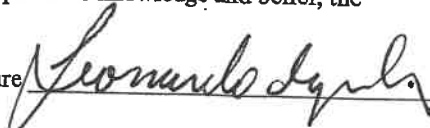
CITE ALL APPROPRIATE SECTIONS OF THE ZONING BYLAW WHICH PERTAIN TO THIS APPLICATION; USE AND SITE: _____

Section 12.41(b), 12.41(c), 14.11(a), 25.21 25.3, 32.8

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)

**TOWN OF MILLBURY
APPLICATION FOR STORMWATER PERMIT**

APPLICANT:

NAME Elite Home Builders, LLC

STREET P.O. Box 1205 CITY/TOWN Westborough

STATE MA ZIP 01581 TELEPHONE (508) 560-9440

NAME OF PROPERTY OWNER (if different from Applicant) _____

Deed recorded in the Worcester District Registry of Deeds Book 64812 Page 312

SITE INFORMATION:

STREET AND NUMBER 19 Canal Street

ZONING DISTRICT B-1 ASSESSOR'S MAP/LOT #(S) Map 45 Parcel 207A

LOT SIZE 2.76 Ac. FRONTAGE 119.84

CURRENT USE Vacant

PROJECT PLAN INFORMATION:

PLAN TITLE Site Development Plan for 19 Canal Street

PREPARED BY (name/address of PE/Architect) J.M. Grenier Associates Inc.
325 Donald Lynch Boulevard Suite 100 Marlborough, MA 01752

DATES 4/9/21

USES FOR WHICH SPECIAL PERMIT IS SOUGHT

Stormwater Special Permit

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

Section 12.41(b), 12.41(c), 14.11(a), 25.21, 25.3, 32.8

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)

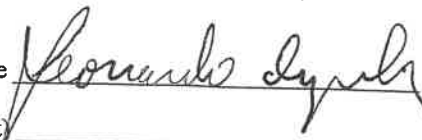




Exhibit B

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

RECEIVED
TOWN CLERK
APR 19 PM 4:04
MILLBURY, MASS

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, May 10, 2021 at 7:15 p.m. on the application of Elite Home Builders, LLC, property located at 19 Canal Street, Millbury, MA, for a Multi-Family Special Permit under Millbury Zoning Bylaws, Article 1, Section 14.11(a), Site Plan Review under Zoning Bylaws, Article 1, Section 12.4, and for a Post-Construction Storm Water Management Permit under Millbury Municipal Code, Title 13, Chapter 13.15. The Applicant seeks approval for a multi-family development consisting of 59 garden style multi-family units, 110 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: 861 5683 8046, 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

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