

Chapter 40B Comparison Of Density

Date: Monday, November 27, 2023
To: Millbury Board of Appeals
From: Steve Stearns
Reference: **Chapter 40B Comparison of Density | Rice Pond Village**

This analysis compares the current low to moderate density in the existing neighborhood with the proposed high density of the Chapter 40B Rice Pond Village project. If approved, this project would surpass any other development in Millbury, Massachusetts, in terms of the number of dwelling units on a single property. While the Handbook: Approach to Chapter 40B Design Reviews does not specify a precise density number, it assesses each case on its own merits, considering factors such as building design and the proposed layout of the site.

The table provided catalogs currently operational privately-owned multifamily rental properties of notable significance with more than eight apartments or units in the case of a group home. This information was compiled from reviewing approximately 8,000 property records sourced from the Millbury Assessors database, MassGIS database, and some deeds and plans in the Worcester County Registry of Deeds. At present, Steven Venincasa, along with his limited liability corporations in which he holds a controlling stake, possesses 47% of the market share. Should Rice Pond Village receive approval, Steven Venincasa and his numerous LLCs would command 67% of the rental market in Millbury. Such a substantial market control raises concerns. Who sees this as a prudent move? Consider antitrust regulations, market upheavals, and the specter of monopolies in this scenario.

“Density” is determined by dividing the number of units by the total acreage, expressed as units per acre.

Complex	Acres	Units	Density
19 Canal Street Apartments *	2.7600	59	21.38
22 Rhodes Street *	0.7197	14	19.45
Cobblestone Village Apartments *	7.0611	72	10.20
Woodside Apartments	6.0512	51	8.43
Spark Millbury (Cordis Mills)	18.1024	112	6.19

It's significant to note that the three most densely populated privately-owned multifamily properties in the town of Millbury are either under the ownership of Steven Venincasa or a limited liability corporation where he has a controlling interest, denoted by an asterisk (*).

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The directly abutting residential properties within 300 feet exhibit a low to moderate density, with a median of 2.5 dwelling units per acre (or density), while the proposed Chapter 40B Rice Pond Village project boasts a significantly higher density of 12 dwelling units per acre, surpassing the adjacent properties by more than 4.8 times. At 12 dwelling units per acre, this would amplify the developer's stronghold on high-density multifamily properties in Millbury, potentially solidifying their portfolio with a monopoly-like status. Furthermore, if approved, the 192 dwelling units would represent the largest number of dwelling units within a single property development in the entire town of Millbury.

Address	Acres	Units	Density
1 Aldrich Ave	0.3687	1	0.37
2 Aldrich Ave	0.3675	1	0.37
3 Aldrich Ave	0.3674	1	0.37
4 Aldrich Ave	0.3127	1	0.31
13R Curve St	1.9974	1	2.00
21 Curve St	3.4974	3	1.17
10 Jackie Dr	0.2870	1	0.29
13 Jackie Dr	0.2880	1	0.29
14 Jackie Dr	0.2870	1	0.29
15 Jackie Dr	0.2870	2	0.14
16 Jackie Dr	2.4674	1	2.47
18 Jackie Dr	0.4266	1	0.43
20 Jackie Dr	0.4591	1	0.46
0 Providence St Simpson's Pond	3.9974	0	0.00
26 Providence St	2.9974	1	3.00

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Address	Acres	Units	Density
30 Providence St	0.6249	1	0.62
32 Providence St	0.5890	1	0.59
34 Providence St	0.6170	1	0.62
38 Providence St	0.4486	2	0.22
42 Providence St	0.4400	0	0.00
44 Providence St	0.4244	2	0.21
46 Providence St	0.4000	1	0.40
1 Rice Rd	1.0783	1	1.08
2 Rice Rd	0.4620	1	0.46
3 Rice Rd	0.3524	1	0.35
4 Rice Rd	0.3799	1	0.38
5 Rice Rd	0.3448	1	0.34
6 Rice Rd	0.6031	1	0.60
7 Rice Rd	0.3271	1	0.33
9 Rice Rd	0.3988	1	0.40
10 Rice Rd	0.3899	1	0.39
11 Rice Rd	0.4637	1	0.46
12 Rice Rd	5.5974	1	5.60
14 Rice Rd	0.3693	1	0.37
19 Rice Rd	0.7163	1	0.72

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Address	Acres	Units	Density
20 Rice Rd	0.3689	1	0.37
55 S Main St	3.4974	3	1.17
66 S Main St	0.6257	2	0.31
67 S Main St	0.2907	1	0.29
68 S Main St	0.9632	1	0.96
69 S Main St	3.4974	1	3.50
74 S Main St	0.6247	1	0.62
76 S Main St	0.7070	1	0.71
77 S Main St	0.3868	1	0.39
78 S Main St	1.2000	2	0.60
1 Thomas Hill Rd	0.3684	1	0.37
3 Thomas Hill Rd	0.3675	1	0.37
4 Thomas Hill Rd	0.3692	1	0.37
5 Thomas Hill Rd	0.4051	1	0.41
6 Thomas Hill Rd	0.4011	1	0.40

The intent of the Suburban II Zoning District is "... to provide for low-density one and two family development at moderate density where public services are provided..." allowing for the potential inclusion of multifamily dwellings units through a special permit, under the condition that "...provided that it is serviced by public sewerage and public water, and provided that access from a major street as herein defined does not require use of a minor street substantially developed for single-family homes...". The later of these requirements remains unmet by the proposed Chapter 40B Rice Pond Village project, as Rice Road is less than a minor road with pavement widths less than 22 feet exclusively developed with single-family homes. Once again, the developers, Steven Venincasa and James Venincasa, are urging the Town of Millbury, this time via the Millbury Board of Appeals, to overlook our zoning bylaws and subdivision regulations. They seek the liberty to mold our

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community as they see fit, disregarding public safety and ignoring the intent of the majority of registered voters who established these local regulations. This is likely to lead to heightened public safety incidents, made worse by their “super-sized” for-profit private development. In the end, it transfers the responsibility and obligation to the taxpayers of Millbury while enhancing the developer's profits, much like what the residents along McCracken Road have encountered and are still facing due to Millbury Planning Board's approval of The Shoppes at Blackstone Valley, without considering the broader implications. Learning from past mistakes is crucial; otherwise, you're bound to replicate them.

The Millbury Zoning Bylaws define a “Major Street” as “All state-numbered highways (Routes 20, I-90, 122, 122A, and 146), Auburn Road, Carleton Road, Elm Street, Grafton Street, Greenwood Street, Howe Avenue, Martin Street, Millbury Avenue, McCracken Road east of Greenwood, North Main Street, Stone Road, Sutton Road, West Main Street, plus any street subsequently laid out with right-of-way width of sixty feet (60') or more.” It's important to mention that neither Rice Road nor South Main Street are classified as major streets, nor do they possess a minimum right-of-way width of sixty feet. The project's sole access point on Rice Road opposite Thomas Hill Road presents potential safety risks for both project inhabitants, the existing neighborhood, and the cut-through road users. Worries encompass vehicle entry and traffic flow, pedestrian pathways, as well as the availability of critical emergency services like police, fire, and ambulances. This factor played a pivotal role in the denial of the previous 46-condominium project.