

# AZIMUTH LAND DESIGN, LLC

*Civil Engineers & Erosion Control Specialists*

118 Turnpike Road, Suite 200, Southborough, Massachusetts 01772

Telephone (508) 485-0137    jamest@azimuthlanddesign.co

December 29, 2023

Millbury Zoning Board of Appeals  
Town of Millbury  
127 Elm Street  
Millbury, Massachusetts 01527

Re: Rice Pond Village comprehensive permit application  
17 Rice Road, Millbury  
Town Planner comments dated 11/16/2023

Dear Board members:

I want to take this opportunity to respond to the comments from the Town Planner in a letter 11/16/2023. The form that this response will take is that, in the interest of brevity, I will summarize each comment, in italics, and then respond in normal text.

1. *Safe Harbor.*

No response is necessary.

2. *Project Narrative..*

We will submit a Project Narrative but have not included it with the revised Site Plans now with a revision date of 12-29-2023.

3. *Drainage calculations and traffic study.*

No response is necessary.

4. *Earth removal calculations.*

We added General Note #7 on sheet D1 of the Site Plans to state for the record that the project now has a net material balance between cuts and fills. There had been a slight surplus of material created in the first iteration of these Plans dated 10-24-2023 but we now propose more fill behind building #3 outside of the 100 foot buffer zone to balance the site's earthwork.

5. *Master Plan Consistency Report.*

We will request a waiver from this requirement.

6. *Section 3.13 – Site Plan*

a. *Suggested changes to the Land Plans.*

We will ask the project Surveyor to make the suggested changes. We transferred the northing, easting and elevations of property corners to the rest of the Site Plans from the Land plans.

*b. Zoning district boundaries*

We will add these to the Land Plans and the rest of the Site Plans. They are not shown on the revised Site Plans dated 12-29-2023 being submitted.

*c. Deed reference.*

We added note #8 to the General Notes on sheet D1. It lists the book and page at which the Applicant's deed to the property is recorded.

*d. Abutters.*

Pursuant to the comment, we revised the abutters shown on the Site Plan to correct the identities of at least 3, 2 on Jackie Drive and 1 on Rice Road. We will have the Surveyor correct the listing on the Land Plans.

*e. Fencing around the proposed pool.*

We now propose a 6 foot privacy fence on the west and south sides of the pool, facing toward abutters and Rice Road but a 3 foot high chain link fence on the north and east sides of the pool.

*f. Zoning compliance table*

We added a zoning compliance table to sheet D4.

*g. A table showing proposed dwelling unit density.*

We will add this to the Site Plan. It is not on the Site Plans being submitted with a revision date of 12-29-2023.

*h. Construction phasing.*

We apologize for any confusion. What we were trying to say is that the site's earthwork will be executed in a single phase while the construction of the 3 proposed buildings will not take place at the same time.

*i. Recordable plan sheet including a statement with the signature box.*

We added this statement to the title sheet below the lines for signatures but will revise further if necessary.

*j. Question marks in existing conditions plan.*

I believe these are miscellaneous existing site features that the project Surveyor wasn't sure how to categorize, poles or stanchions, perhaps. We'll clarify and change the representation on the Plans.

*k. Clarify who delineated the wetlands.*

We added note #9 to the General Notes on sheet D1 stating that it was Goddard Consulting, LLC who originally flagged the wetlands. And, of course, that delineation has since been confirmed by the Millbury Conservation Commission and DEP.

*l. Add setback distances*

We added these setback distances from Rice Road, from the Railroad and from 11 Rice Road and these can be seen on the Site Layout Plans and other sheets in the Site Plan set.

*m. Guard rail detail on plans but no guard rails*

We added guard rails on the railroad side of the parking spaces east of building #1 and on the railroad side of the parking area at the north end of it. This can be seen on several sheets in the set.

*n. Turning analysis to show Fire apparatus passage through the site.*

We will submit a plan showing the passage of the Department's appropriate vehicle.

*o. The accessible parking space signs should be shown.*

These were added to the Plans.

*p. Proposed water line connection in Rice Road not shown.*

I apologize that this is still not shown. It will be shown on the next and hopefully final iteration of the Plans.

*q. Show all electrical conduit connections.*

We will add the additional connections cited to the Plans but it may detract from clarity.

*r. Site Plans don't show dumpsters.*

The proposed dumpsters were added off the turnaround at the north end of the site.

*s. Show a profile of the site driveway.*

We need to clarify exactly which driveway(s) should be profiled.

*t. Existing grades at centerline should be shown.*

I assume that this is on the profile requested in comment "s" but need to confirm.

*u. HC ramps should be shown; sidewalk on west side of entrance should be extended; How will the pool be accessed? Add a crosswalk.*

We added the tactile pads at each HC access ramp to the Plans to show the ramp locations. We extended the sidewalk on the west side of the entrance as suggested

and we added a crosswalk in the location suggested. These changes can all be seen on sheet S1 among others. The pool will be accessed through the clubhouse.

*v. Provide a detail of the retaining wall.*

The wall will be a Conigliaro block wall and a stamped plan will be submitted to the building department because the wall is more than 4 feet high.

*w. Provide a detail of the sidewalk.*

We will add this to the vertical granite curb detail.

*x. Provide a detail with parking space dimensions*

We will add the requested detail. Most spaces are 9'x18'. Compact spaces are 8'x18'. The proposed accessible spaces will all have an 8' wide van accessible margin between them.

*y. Inconsistency in references on Landscape and Lighting Plans.*

We will fix these on the next iteration of the Plans.

*z. Clarify the location of sloped and vertical granite curbs on site.*

We thought the note on the vertical granite detail was sufficient but we'll change line types to distinguish them.

*aa. Identify surface treatment of disturbed areas on site.*

The intention is that all areas not given specific tree and shrub planting be given loam and seed cover and that areas steeper than 3:1 utilize erosion control matting. We will add notes to the Plans to clarify this.

*bb. Add the limit of work to the Plans.*

The limit of work is now shown in a dashed blue line on the Site Layout Plans.

*cc. Clarify if large existing trees along the Rice Road frontage will remain.*

The project landscape architect examined these trees and found that two of them are actually hollow inside and, while still alive, not in very good condition. We will try to save all of them but working not far from them may damage their root system.

*dd. Lighting of the street sign and inconsistency of light locations on sheet LS-2.*

The Applicant hasn't decided about the style and lighting of the sign at the entrance. In regard to the lighting, we will reconcile the inconsistencies.

*ee. Suggesting that the site entrance mat be widened.*

We did so, making it 22 feet wide on the plan view of sheet ESC-1 and on detail sheet D1.

*ff. Architectural floor and elevation plans should be stamped by a registered architect.*

The final plans submitted to the building department will be stamped.

*gg. Plan scale requirement for architectural plans and request for Clubhouse and garage plans.*

We will ask for a waiver from the plan scale requirement for elevation views and floor plans. Architectural plans of the Clubhouse and garage buildings will be submitted to the Building department.

*hh. Provide a tabular summary on the elevation plans.*

We will ask the architect to include this in his next submission.

*7. The waiver request list should be revised.*

We will revise the waiver request list and include the basis for the requested exemptions.

*8. Selection of affordable dwelling unit tenants.*

We will make these selections according to state regulations and working with the Town for local preference.

*9. Items from ZBL section 12.44(a)*

*a. Assessor map and parcel numbers should be listed on the plan.*

They are listed in general note#3 on sheet D1.

*b. The land plans should be updated.*

We will update the Land Plans.

*c. Identify snow storage areas.*

These were supposed to be shown on the Site Layout Plans and will be on the next, and hopefully, final iteration of the Plans.

*d. Contours should be shown at 1' intervals.*

That would add nothing on a hilly site except to make the plans harder to read. We will request a waiver from this requirement.

*e. Refuse containers should be screened.*

They're now shown at the north end of the site and are to be fenced in.

*f. The applicant should give additional information about the project sign.*

The form and style of the sign at the entrance hasn't been decided.

*g. Zoning setbacks should be shown on the site plan.*  
We will add them to the Site Layout Plans.

*10. Requirement for an isometric line drawing.*  
We will ask for a waiver from this requirement.

*11. A Development impact statement should be submitted.*  
We will submit this statement.

*12. ZBL section 23 – Suburban districts*  
*a. A waiver is necessary for constructing multifamily housing not on a major street.*  
We will request this waiver.

*b. A waiver is necessary for the proposed density of housing.*  
We will request this waiver.

*c. Total lot coverage should be provided.*  
Total lot coverage is now listed in the zoning compliance table on sheet D4. It is well under 30%.

*d. Maximum building height in the S-2 district is 30 feet.*  
We have requested a waiver as the Planner notes.

*13. ZBL section 28.7.3 – The project will exceed density allowed.*  
We will request a waiver from this requirement.

*14. ZBL section 32.6 One structure per lot and access width requirements*  
We will request a waiver from this section of the Bylaw.

*15. ZBL section 33.2 parking requirements*  
We have requested a waiver from this section of the Bylaw.

*16. Stormwater management requirements*  
We did provide a Drainage Report with rainfall amounts from the Cornell site. One reviewer has asked us to use slightly higher rainfall amounts and the enclosed Drainage Report revised 12-29-2023 uses those numbers. We typically submit a Stormwater Report Checklist to the Conservation Commission in the course of a Notice of Intent filing. But we are submitting ours now.

*17. LIP agreement requirements.*



The Applicant will submit a plan showing the installation of a sidewalk along Rice Road and the installation of stop signs.

*18. How will mail and deliveries be handled?*

We show loading or delivery spaces in front of each building. This can be seen on the Site Layout sheets. Mail will be handled at a room within the Clubhouse.

*19. Suggestion that bike racks for at least 5% of units be provided.*

The Applicant is still considering this issue.

*20. Suggestion that EV or EV ready parking spaces constitute at least 10% of parking spaces.*

The Applicant is still considering this issue.

*21. Suggested limits on construction work hours 7a.m. to 5 p.m. Monday-Friday and 8 a.m. to 4 p.m. on weekends.*

The Applicant would have no objection. These are standard hours.

*22. Additional plantings are suggested beside abutters at #'s 11 and 19 Rice Road.*

We will discuss this with the Landscape Architect.

*23. Comments in regard to the traffic study.*

We will defer to the Traffic Engineer to answer these questions.

*24. Comments in regard to the size of the project and suggested changes.*

The applicant appreciates the perspective of the Planner and of residents but does not intend significant changes to the project scope.

If you have any questions at all, please contact me.

Sincerely,

AZIMUTH LAND DESIGN, LLC



James Tetreault, PE, CPESC

Cc: SJV Investments, LLC