

# AZIMUTH LAND DESIGN, LLC

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February 21, 2024

Kenneth Perro, Chairman  
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  
Waiver requests

Dear Mr. Perro:

I want to take this opportunity to present a complete list of the Applicant's waivers from Town regulations being requested for this Comprehensive Permit project. I will list each waiver with the relevant section of Town regulations, in italics, followed by the justification for that waiver request.

*Rules and Regulations Governing Comprehensive Permit Applications in Ch.40B, section 3.12 Master Plan Consistency Report*

The Applicant is requesting a waiver because the Town does not have an up to date housing plan.

*Rules and Regulations Governing Comprehensive Permit Applications in Ch.40B, section 3.13.10 the requirement for stamped Architectural Floor and Elevation Plans.*

The Applicant is requesting a waiver because those final plans will be provided at a later stage of permitting.

*Rules and Regulations Governing Comprehensive Permit Applications in Ch.40B, section 3.13.10.1 & 3.13.10.2 the requirement for Architectural Floor and Elevation Plans at a certain scale and the requirement of those plans for the proposed clubhouses and garages.*

The Applicant is requesting a waiver because those plans will be provided at a later stage of permitting.

*Zoning Bylaw section 12.44(a) the requirement for contours at 1' intervals.*

The Applicant is requesting a waiver because on a hilly site such as this a 1' contour interval doesn't add clarity. It only makes the plans hard to read.

*Zoning Bylaw section 12.44(c) the requirement for an isometric line drawing.*

The Applicant requests a waiver as we don't have the means of producing this in house.

*Zoning Bylaw section 23 – the requirement for a special permit for multifamily housing in Suburban districts.*

The Applicant is requesting this waiver to permit this development to provide necessary affordable housing.

*Zoning Bylaw Section 23 – the requirement of lot size per unit in the Suburban II zoning district.*  
The Applicant is requesting this waiver to permit this development to provide necessary affordable housing.

*Zoning Bylaw Section 23.32 – the requirement of a maximum building height of 30 feet*  
This isn't consistent with the creation of multifamily housing and it results in the creation of much greater impervious cover than is proposed by the Applicant.

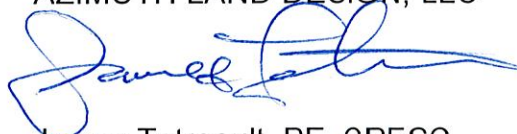
*Zoning Bylaw section 32.6 – One structure per lot*  
The Applicant could create separate frontages and lots for the three buildings but it's a better design for parking layout and for traffic safety to have one lot with one entrance directly opposite Thomas Hill Road.

*Zoning Bylaw section 33.2 – Parking requirements*  
The Bylaw's requirement vastly exceeds the national standard cited by the Traffic Engineer in his report of 1.46 spaces per unit. The project's provision of 1.61 spaces per unit will exceed that standard and be only slightly below the provision of spaces at the Applicant's recent developments in Town which have had no issues with parking.

*Subdivision Rules and Regulations section 6.17.4 – Size of drain pipes*  
The Regulations require minimum 12 inch diameter drainage pipes but an 8 inch diameter HDPE pipe at a 2% slope can convey 1.8 cubic feet per second which is all that can enter a catch basin grate. So using 8 inch diameter pipes to convey flow from catch basins to drain manholes provides sufficient capacity.

Sincerely,

AZIMUTH LAND DESIGN, LLC



James Tetreault, PE, CPESC

Cc: Rice Pond Village, LLC