

**Town of Millbury
Board of Appeals**

Paul Nigosian, Chairman
Ken Perro, Vice Chairman
Robert Simmarano, Clerk
Harold Proodian
Daniel Mezynski
Anna Lewandowski, Alternate member



MUNICIPAL OFFICE BUILDING
127 ELM STREET
MILLBURY, MA 01527

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RECEIVED
TOWN CLERK
17 NOV 30 PM 3:31
MILLBURY MASS.

**Meeting Minutes
Wednesday, August 30, 2017
7:00 pm**

Meeting Schedule:

07:00 pm: Official Call to Order
07:05 pm: Seeking a Use Variance for Home Occupation Permit; Michael Muller for 52 Rayburn Drive.
07:50 pm: Seeking two Variances for Lot Area and Frontage; 80 MacArthur Drive.
08:35 pm: Minutes from Wed., July 26th 2017.
08:45 pm: Adjournment

Board of Appeals Board Members Present:

Paul Nigosian (Chairman), Ken Perro (Vice Chairman), Daniel Mezynski, Harold Proodian and Anna Lewandowski (Alternate)

Not in Attendance: Robert Simmarano (Clerk)

(See attached sign in sheet for abutters)

7:00 PM: Official Call to Order:

Paul Nigosian; Millbury Board of Appeals, August 30th, 2017 for Michael Muller at 52 Rayburn Drive, Millbury, Massachusetts application for a Home Occupation Permit. **Ken Perro (standing in for Robert Simmarano);** having complied with the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts, relative to advertising and notifying abutters I declare this meeting is officially opened, all decisions of this board are final except as provided in Chapter 40A of the Massachusetts General Laws.

7:05 PM: Michael Muller, 52 Rayburn Drive, Map# 47, Lot# 104, Book# 20695, Page# 96, Suburban 3 District.

Michael Muller has lived at 52 Rayburn Drive since 1993 and has been running his landscaping business since 2013 (four years ago), his daughter leaves for college next year and the landscaping business is a way to supplement the income. Mr. Muller explained he is looking for permission to park his vehicles at his residence and run his business from his home. He has two trucks with two trailers, he claims it's fairly private where he parks them and that it is hard to see them from the street, he has three employees one of them being his son that currently lives at the house so his car is part of the resident parking and Mr. Muller has two other vehicles that he provides off street parking for. He had a letter to give to the board that was provided by the original person who complained, they had a conversation in regards to the business working from this residence and in turn his neighbor wrote him another letter that explained they no longer object to the business running out of Mr. Muller's home. (Mr. Muller handed the letter to Paul to read), for the record Ken Perro read the letter, (Please see attached). Mr. Muller continued to explain to the board that one of the most important pieces to running this business is that it is a second job for him, his other job he works from 4:00am until 12:00 noon and that he needs the accessibility to the vehicles so that he can make repairs if needed. If he has to move the business to a different location he feels it will put a burden on his home life

and family, he would really appreciate it if the board would consider to let him continue to run his business out of his residence because it would put him out of business if he had to move somewhere else. Paul Nigosian then asked the audience if anyone had anything to say in regards to Mr. Muller's request, (no one offered). Paul Nigosian asked Mr. Muller what type of trucks are being parked on the property? Mr. Muller has an F-350 with a 16 foot enclosed trailer, another F-350 dump truck and a 20 foot enclosed trailer. Mr. Muller also provides plowing and sanding but he keeps the sander at a friend's house in Grafton and stores the plows at the property, all his equipment (lawn mowers, leaf blowers, rakes, shovels, etc..) are stored in the trailers, he claims all his equipment is nice equipment that is well maintained and in nice shape. Mr. Muller's back yard is about 100 feet wide by 50 feet deep he uses about half of that with 20 feet x 30 feet of crushed stone (not pavement) underneath with a two stall residential garage and two sheds that are placed side to side, (behind the garage is where he stores most of his equipment). If any of his equipment, (trucks, lawn movers, plows, etc...) break down he does the repairs on the property, the boards claims that Mr. Muller is in some degree also running a repair shop, in Mr. Muller's own defense he's not running a repair shop just fixing his own equipment. As far as brush and debris, Mr. Muller has two piles in his back yard, his friend owns a tree company who, from time to time, comes over with his logger truck to load some of the debris in his truck, he also uses Perraults Nursery and a gentleman, Mr. Peranian from George Hill, that owns some 75 acres that allows Mr. Muller to dump some debris there as well he needs it for loam. If they mow all week he'll have grass clippings and he'll take them and put them in a pile in the yard and once he has a full truck load they'll load it up and bring it to Peranian's or Perrault's, basically he is storing brush and debris on his property. Paul Nigosian pointed out that Mr. Muller's business is growing with two trucks, two trailers, quite a bit of equipment, doing repairs, piling brush and debris on the property until someone can come and pick it up and what it comes down to is that Mr. Muller is running a landscaping business in a residential neighborhood and he has made provisions on the property to accommodate the business. It also has been pointed out that his employees are parking on the street and he has arrangements to have them parking in the yard. The board discussed if it was possible for Mr. Muller to park just one of his trucks on the property and store the other truck and the two trailers somewhere else. Home Occupations; Permitted accessory uses; (23.14 Section 23 pertains to suburban districts) Parking to service a permitted use but not including more than one commercial vehicle or any construction equipment or any truck over one and one half ton. Mr. Muller argues that his trailers are not construction equipment it is lawn equipment but the board disagrees the trailers are commercial equipment and that only one truck is permitted to be parked on the premises. Ken Perro read the last paragraph in "Home Occupation" section 41; (and pointed out that Mr. Muller is not a home occupation), no equipment process or activity shall be used in such home occupation which creates noise, vibration, glare, nauseous odors and electrical interference otherwise would disrupt the neighborhoods integrity. The board asked if Mr. Muller could keep it down to one truck and one trailer and that any excessive amounts going beyond the truck and trailer, storing the brush and debris at another location, doing repairs indoors with the exception on a rare occasion of working on the plows he'll be working on them in the back yard where no one can see him. He is considering widening his driveway however the cost is high but that is something he is taking seriously.

Paul Nigosian entertained a motion to close the public hearing **Harold Proodian** made a motion second by **Ken Perro** all were in favor 5 – 0.

The board discusses among themselves the pros and cons. Anna pointed out that it is not illegal to park on a public street. Dan Mezynski added if Mr. Muller was willing to keep it down to one plow one truck and one trailer not to exceed 20 feet and no dumping of debris in the yard it seems like a reasonable accommodation and if his business grows he's going to have to grow out of the area.

Paul Nigosian asked the board if anyone would like to make a motion; Harold Proodian made a motion to grant a use variance to Michael Muller for Jerry's Lawn Service LLC at 52 Rayburn Drive, Millbury, Ma as shown on Map# 47, Lot# 104 recorded in Book# 20695, Page# 96 with the Worcester County Registry of Deeds within the S - III District (section 23.14) with the Millbury Zoning By-Laws. To allow for a home occupation of a landscaping business to be present at said address with only one commercial truck not to exceed one and a half ton with enclosed landscape trailer not to exceed 20 feet to be parked in the driveway, employees are to park off street and no brush or any form of debris related to the business to be left anywhere on the premises; Anna Lewandowski second the motion members were in favor 4 – 0 Paul Nigosian was opposed.

7:50 PM: Brian & Susan Larosee for 80 MacArthur Drive, Map# 23, Lot# 157, Book# 35032, Page# 26, Rural 3District.

Norman Hill of Land Planning, Inc. (representing Brian & Susan Larosee). Mr. Hill introduced himself to the board that he was a licensed land surveyor, a licensed civil engineer and a consultant for Land Planning, Inc. located in Grafton Massachusetts. He also introduced Mr. & Mrs. Larosee whom were present for the meeting and sitting in the front row. Mr. Hill explained to the board that Mr. and Mrs. Larosee reside in the house at 77 MacArthur Drive and they also own the vacant lot across the street at 80 MacArthur Drive and that they would like to build a 60' x 22' one story house with a two car attached garage on that vacant lot so they can move into that and that their daughter, who is now married, can move into their house. Mrs. Larosee has lived in Millbury all her life, her father and prior to her father, (grandfather), use to own the house at 77 MacArthur Drive and the vacant lot across the street, both properties have been in the family for a very long time. The lots were originally created in 1943, Mr. Hill explained that the size of the lot, (80 MacArthur Drive), is in question, in order to have a lot qualify as a grandfathered lot you have to have at least 5,000 square feet of area and this lot has 5,800 so they have enough of land area but they have to have 50 feet of frontage if they did have the 50 feet they wouldn't have to come to the board, they would be allowed to have a building permit to build on a legally grandfathered lot with 50 feet of frontage and 5,000 square feet of area. Paul Nigosian intervened to explain that the building inspector has listed that the minimum required lot area in this district is 20,000 square feet if using municipal sewer service and there is nothing about the lot being grandfathered and that a need of 14,172 square feet of relief. Mr. Hill explained that there is a state law stating that if you have 5,000 square feet of area and 50 feet of frontage and the lot wasn't owned by a neighbor it was always individually owned and they didn't own the abutting properties the lot is grandfathered and then you are automatically allowed a building permit and they're not even allowed to meet the setbacks however in this case they meet the setbacks, by state law you don't have to meet the setbacks as long as you have 5,000 square feet of area and 50 feet of frontage the building inspector can issue you a building permit. Daniel Mezynski asked Mr. Hill if he had a copy of the page or something in the application that states that law and Mr. Hill did not. Mr. Hill concedes that if the board were to grant a variance to allow the Larosee's 43 feet of frontage the building inspector would have to grant them a permit, he may choose not to, but he would be aware of the state law and if you grant them the 43 feet of frontage Mr. Hill honestly believes the building inspector would grant them the permit to build. Mr. Hill also pointed out that looking at the plan, (a copy was handed out to the board, please see

attached), that their lot is consistent to the other lots in the neighborhood, when you grant a variance you don't want to grant a variance that is inconsistent with the rest of the neighborhood, if you look at the other lots the neighbors to their right has about 34 feet, they have a little more than that now because their grandfather gave them 2 feet. Years ago their driveway was accidentally paved on their vacant lot out of their driveway, so being good neighbors the grandfather gave their neighbors 2 feet of land so their driveway wouldn't have to be torn up, he believes the board will be hearing from those same neighbors tonight in trying to stop the variance. Mr. Hill continues to read the frontage area from the other lots, some have more or less but most within the same amount. Mr. Hill handed out a copy of a colored print out of the neighborhood and houses as to how they sit on their lots, (please see attached), the minimum side yard setback is 10 feet most of the homes in the neighborhood have 10 feet and some have less but these homes have been here for a long time 40, 50 to 60 years. A new house has been designed to fit on the lot and it will meet the 10 feet setback on both side yards, there will be more than 25 feet back from the street and they meet the rear setback as well. Mr. Hill proceeded to go over with the board a large scale lot plan, (please see attached the scale downed version), he explained how the newly built house would sit on the lot, the house would be centered on the lot with the drive in the front and more than 10 feet on either side and he continues to say that the house would fit in this lot "quite nicely". Mr. Hill pointed out that the neighbors have some concerns with the drainage, they thought the new build might increase the drainage to their lot, they agreed to put gutters on the house and pipe them to two leaching cultic units so that all the water that hits the roof will go into the cultic units. The neighbors had a further concern with the way the water travels down the road and into their driveway and with that water comes sand and mud, Mr. Hill met with the highway superintendant and he has agreed to install a berm along the side of the road to a catch basin that is located further down the road and harmlessly drain into Dorothy Pond and deter any of the storm water going into the neighbors driveway. Mr. Hill stated that they met all the concerns of the neighbors and so has the town by stepping up by installing the berm. Mr. Hill continued to explain when the portion of land was given to the neighbor for their driveway, he had a picture of the house, (not included), that shows how their driveway goes downhill from the road the road drainage runs down their driveway, this driveway was accidentally paved onto Lot 24, (80 MacArthur Drive), rather than make them tear up their driveway they were given the two feet of land reducing the frontage of the property. Paul Nigosian pointed out; regardless the lot lost 2 feet of frontage it would still be short the required. Paul also pointed out that Mr. Hill needs to stay on topic and why they are really there. Mr. Hill finished up his speech to remind the board that the property meets all the required setbacks and that the build of the new home won't be a detriment to the neighborhood, it won't bring the property value to the other homes down and if anything it might increase the value.

Petitioner: Susan L. Larosee took to the podium to clear up that the advertisement stated that a storage unit was also going to be built on the property however that was incorrect the seasonal screen house already exists on the property and will continue to stay for several more years.

Abutter: Rodney Fime Jr. of 78 MacArthur Drive: explained to the board his concerns for the water drainage, the side setbacks and that on the plan there was going to be 5 feet of wall taking up the 10 feet of setback, he also explained that when the grandfather gave them the 2 feet of frontage in turn, Rodney's great-grandfather, granted them 2 feet of water frontage. He also explained he doesn't want to keep the Larosee's from building a house on the property he just felt that the house that they are looking to build is too big for the lot that is there and that the property is not set up for a "grandfathered" property.

Abutter: Patricia Fime of 78 MacArthur Drive: told the board that the current situation has turned into a disaster, her concerns are with the water problems and that they have water problems now since the sewerage went in and the reconfiguration of the road, she went to Susan Larosee before any of this began and told her that she was going to hire a civil engineer for the water problems nothing against the house, she knew there was going to be a solid structure but no green space and with that there could be more water problems, she was protecting herself and her property and didn't expect the Larosee's to take care of their water problems she just didn't want more problems being created. Patricia Fime and Susan Larosee grew up together and have known each other for a very long time, Ms. Fime wants the Larosee's to have their home however not at her expense she is only trying to protect what they already own. The Fime's went to the Larosee's and asked if they would consider installing the culvert systems on the property and the Larosee's agreed to it. Their concerns are water problems and the setbacks they are going to install a retaining wall that will also take up 10 feet of the side yard setback.

Harold Proodian asked what's the area that covers the lot percentage wise? (house, garage, pavement, etc.) Mr. Hill explained that the house and driveway cover 2,000 square feet and the lot is 5,800 square feet so it covers a little more than a third.

Anna Lewandowski is aware that the house will have town sewerage but what will they be doing about water, Mr. Hill explained that they will be drilling a well for water.

Harold Proodian asked the Larosee's that it seemed like such a large structure to be built on a small piece of property and if they would consider the build without the garage that might be something the board would then consider as well but Mrs. Larosee declined, she wants the garage to assist in her life as she gets older.

There is 25 feet from the road to the garage and they are lacking 7 feet of frontage if the property was actually "grandfathered" however the board wasn't too sure about that considering the building inspector made no note of that in his response letter to the application.

Paul Nigosian entertained a motion to close the public hearing **Harold Proodian** made a motion second by **Ken Perro** all were in favor 5 – 0.

Paul Nigosian asked the board if anyone would like to make a motion; **Harold Proodian** made a motion to grant a variance Brian and Susan Larosee at 80 MacArthur Drive, Millbury, as shown on Map# 23, Lot# 157, as recorded in Book# 35032, Page# 26 with the Worcester County Registry of Deeds within the Residential 3 District section 22.3 according to the Millbury Zoning By-Law (lot size are and frontage), area; 20,000 square feet is required said property has 5,862 square feet a relief of 14,138 square feet is needed. Frontage; minimum frontage is 100 linear feet this lot has 43 linear feet a relief of 57 linear feet is required; **Ken Perro** second the motion. Members of the board voted one in favor four opposed, 4 – 1. (Motion to approve; Harold Proodian, motion to oppose; Paul Nigosian, Kenneth Perro, Daniel Mezynski and Anna Lewandowski)

8:35 PM: Meeting Minutes from Wednesday, July 26th, 2017.

Daniel Mezynski made a motion to accept the minutes, **Harold Proodian** second the motion, **Anna Lewandowski** abstained due to her absence for that meeting, all members were in favor 4 – 0.

8:45 PM: Adjournment

Paul Nigosian entertained a motion to adjourn the meeting; **Daniel Mezynski** made the motion, **Harold Proodian** second the motion; carried unanimously 5 - 0.

Respectfully submitted by Nancy Young and submitted to Town Clerk.



TOWN OF MILLBURY

ATTENDEE SIGN-IN SHEET

BOA HEARINGS WEDNESDAY, August 30th, 2017

7:05 Michael Muller, 52 Rayburn Dr., Millbury, Ma

7:30 Brian & Susan Larosee for 80 MacArthur Dr., Millbury

PLEASE PRINT NAME

YOUR ADDRESS & HEARING ATTENDING

(example) John Doe 123 Main St. Millbury, Michael Muller

R Pedone Isalo Ter Millbury Muller

M Muller Rayburn drive

M Muller Jr

Derek McKgovern

Susan Larosee 77 MacArthur Dr. Millb.

Brian Larosee 77 MacArthur Dr.

Robert Finne Jr 78 MacArthur Dr.

~~Robert Finne~~ 78 MacArthur Dr.

Robert Finne Sr. 78 MacArthur Dr.

Margbeth Kahl 82 MacArthur Dr.

Paul Kahl 82 MacArthur Dr.

From: dennisjkelly@charter.net
Sent: Monday, July 24, 2017 12:30 PM
To: 'jerryslawnservice61@outlook.com'
Subject: Letter

To Whom It May Concern:

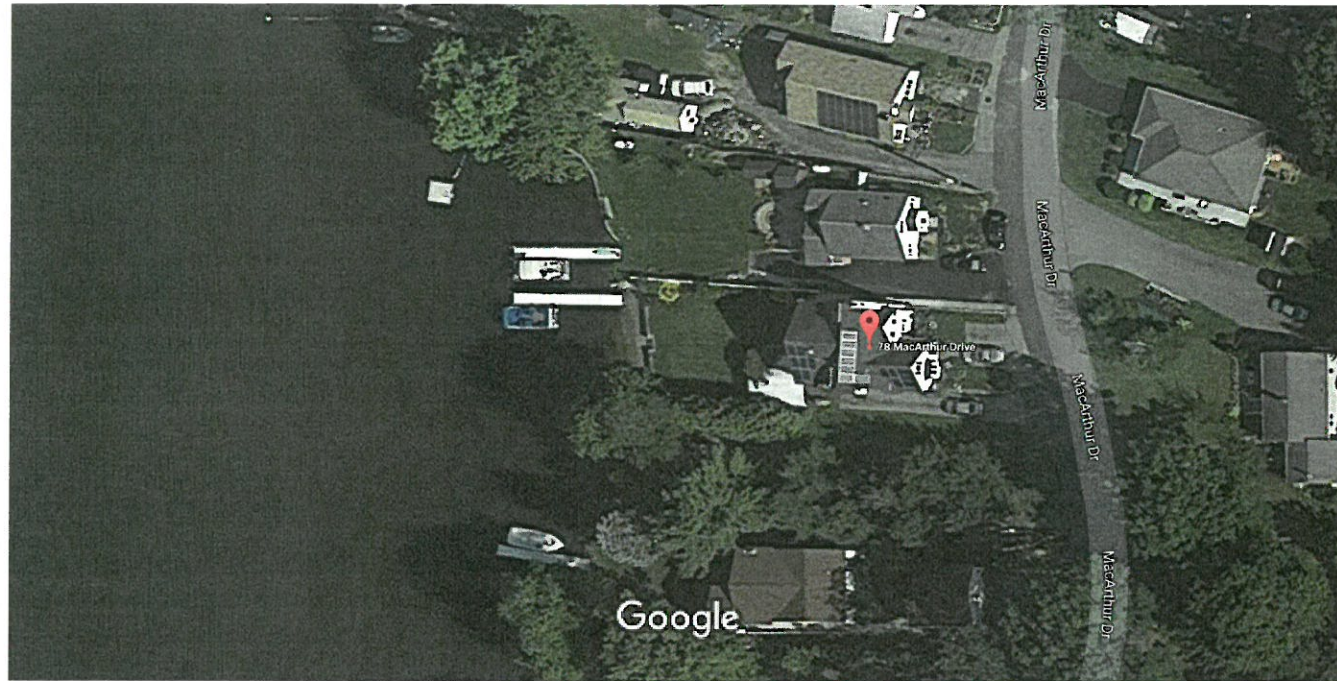
My name is Dennis Kelly and I reside at 47 Rayburn Drive. My family has been neighbors with the Mullers for the past 10 years approximately. During that time, I have considered the Muller family to have been good neighbors. I am aware that Mike Muller is operating a landscaping business out of his home. I am not familiar with the laws or rules regarding the operation of a landscaping business from a residential home in Millbury. My intent of writing this letter is to notify you that I am not in opposition of the landscaping business, but in hope that the town of Millbury can supply Mr Muller with some guidelines for running his business within the boundaries that are acceptable to the town of Millbury.

As long as Mr. Muller can maintain his business in a courteous manner with respect to his neighbors, and follow ordinance provided by the town, I am hopefully that a reasonable solution can be found to allow him to operate his business.

Sincerely,

Dennis Kelly

Google Maps 78 MacArthur Dr

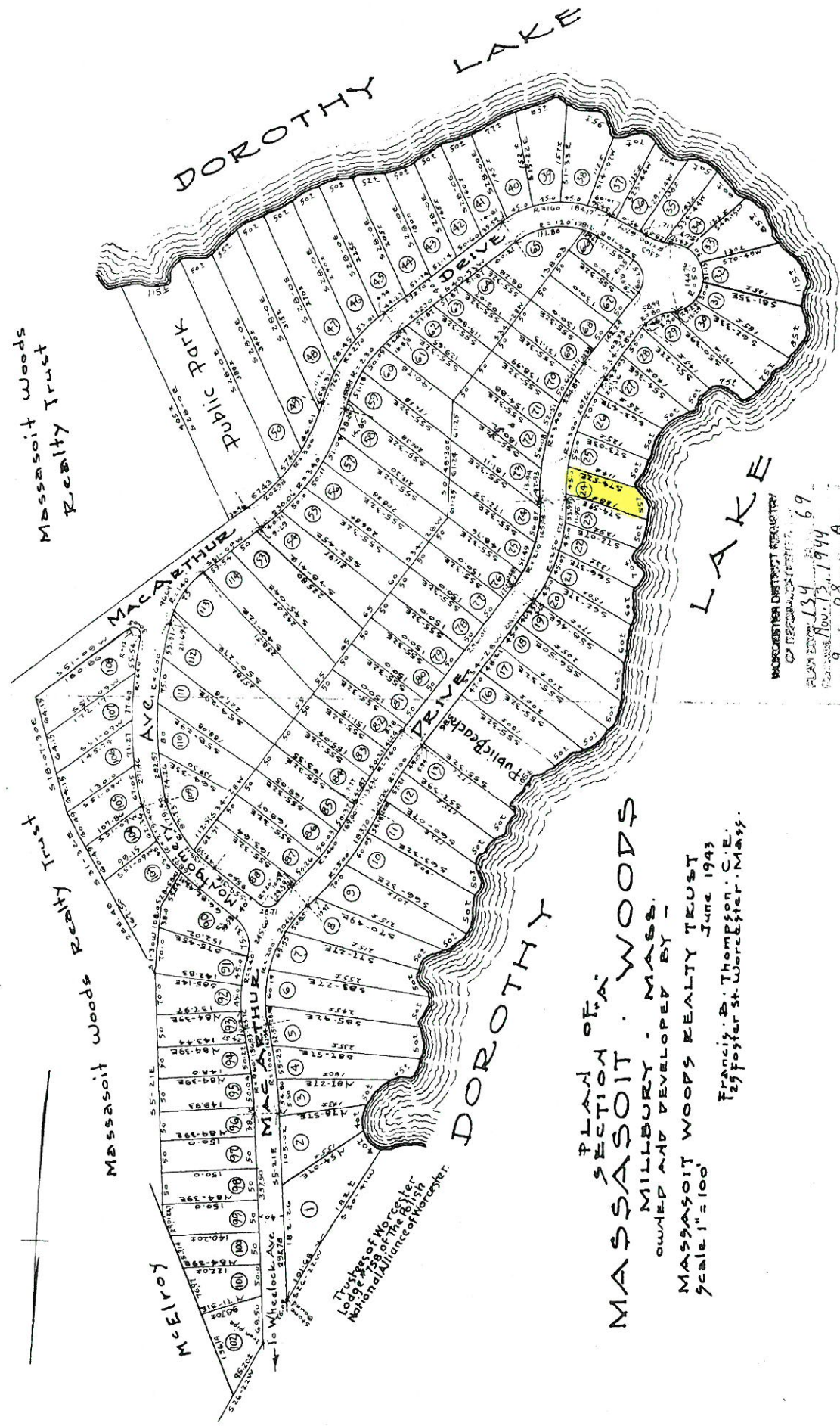


Imagery ©2017 MassGIS, Commonwealth of Massachusetts EOEA, Map data ©2017 Google United States 20 ft



78 MacArthur Dr
Millbury, MA 01527





Massasoit Woods Realty Trust

Massasoit Woods Realty Trust

PLAT OF A SECTION OF
MASASOIT WOODS
 MILBURY - MASS.
 OWNED AND DEVELOPED BY -
MASASOIT WOODS REALTY TRUST
 June 1943
 Francis B. Thompson, C.E.
 127 Foster St. Worcester, Mass.

Scale 1" = 100'

Worcester District Registry
 of Deeds and Mortgages
 PLAN 154
 CHASED Nov. 13, 1944
 9 08 A

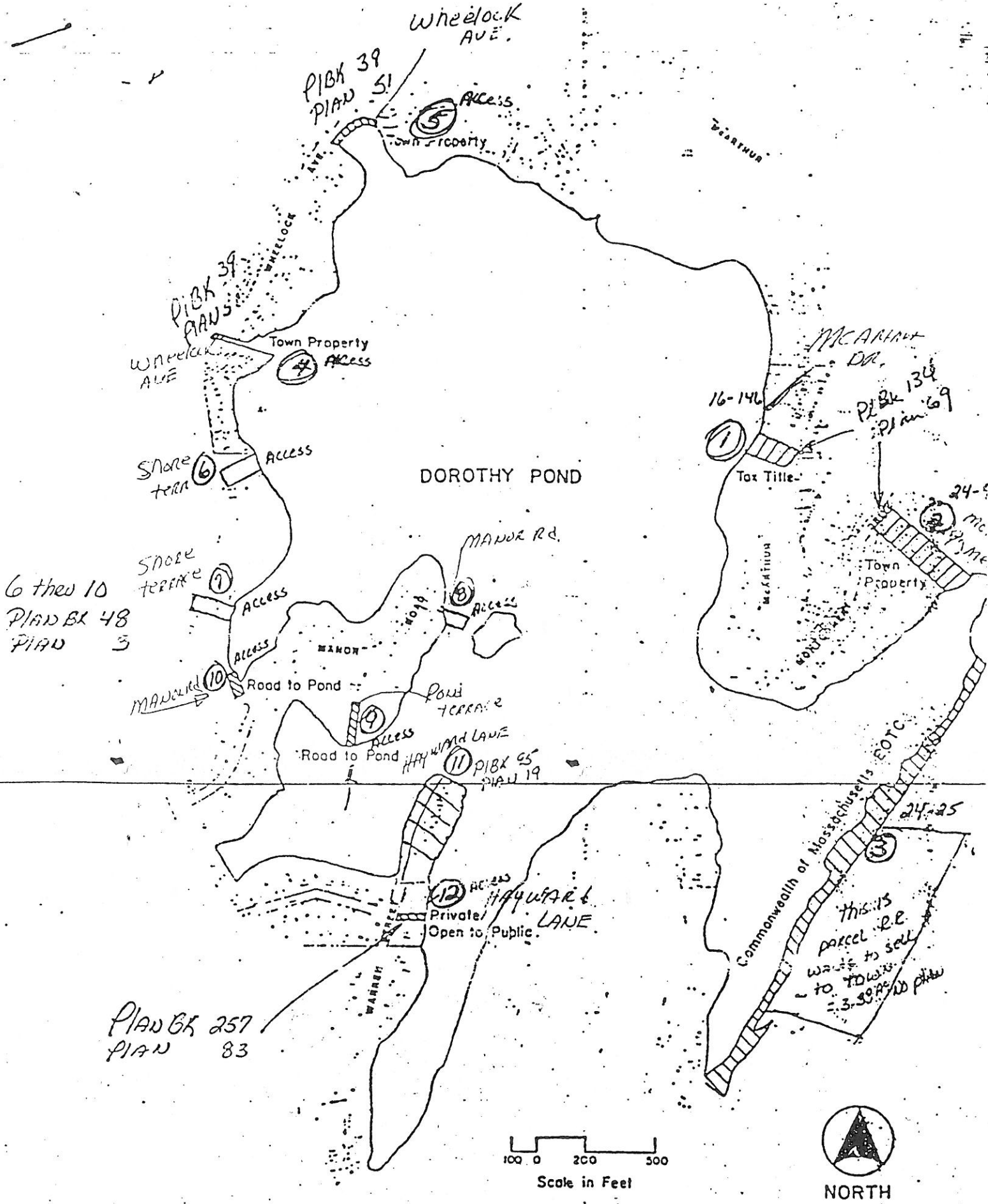


FIGURE 13
Public Access Points to Dorothy Pond

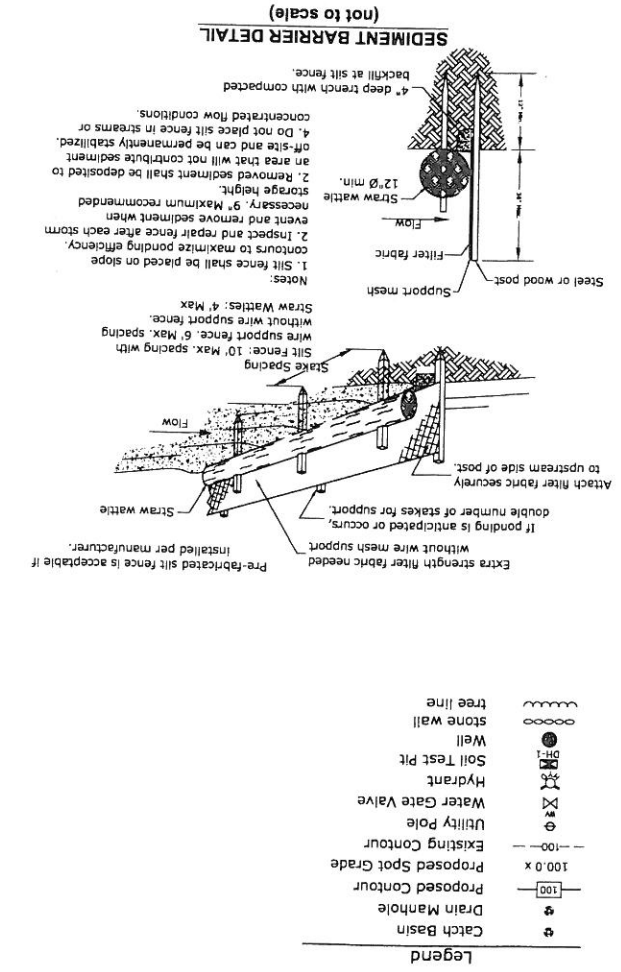
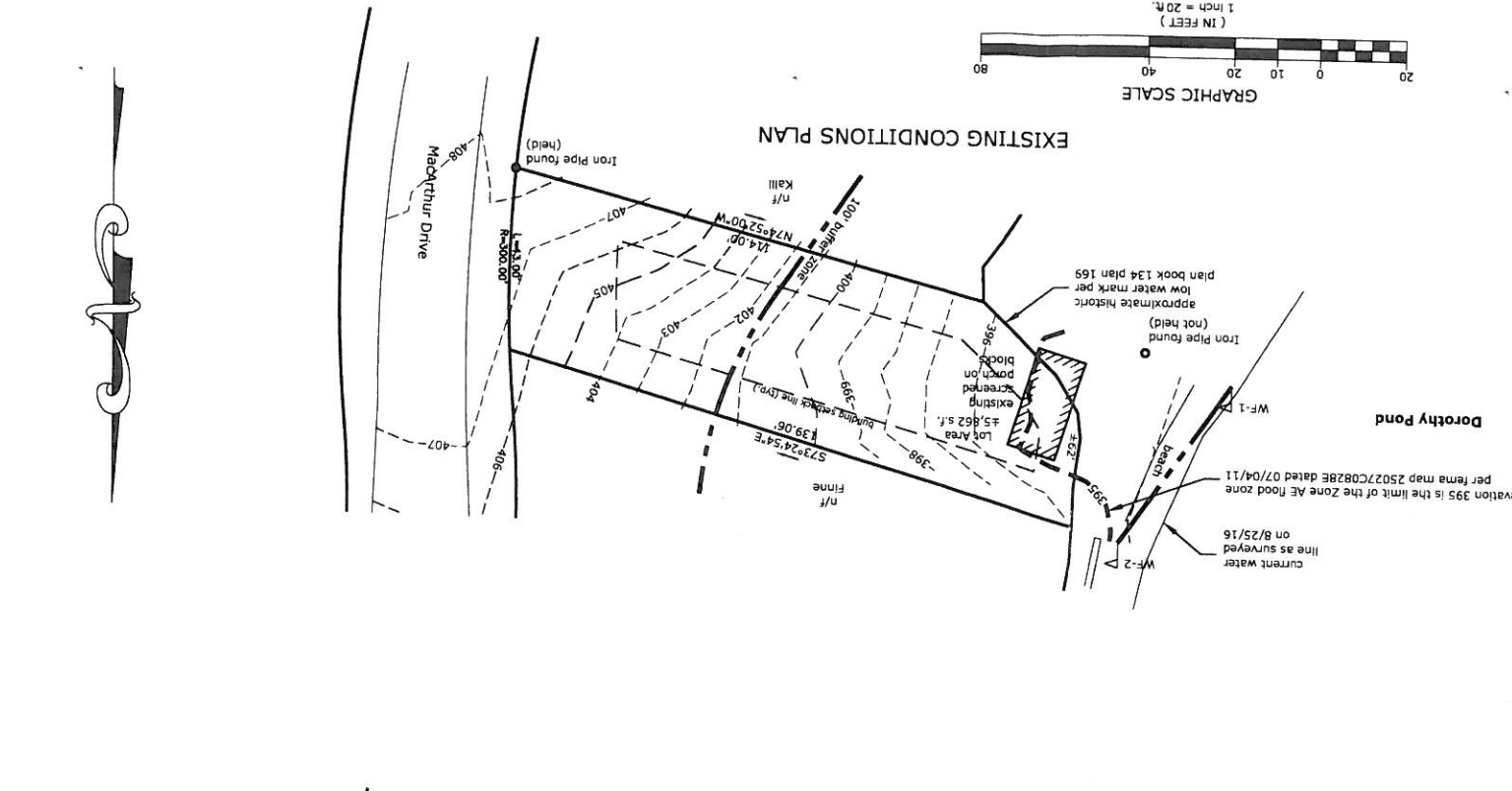
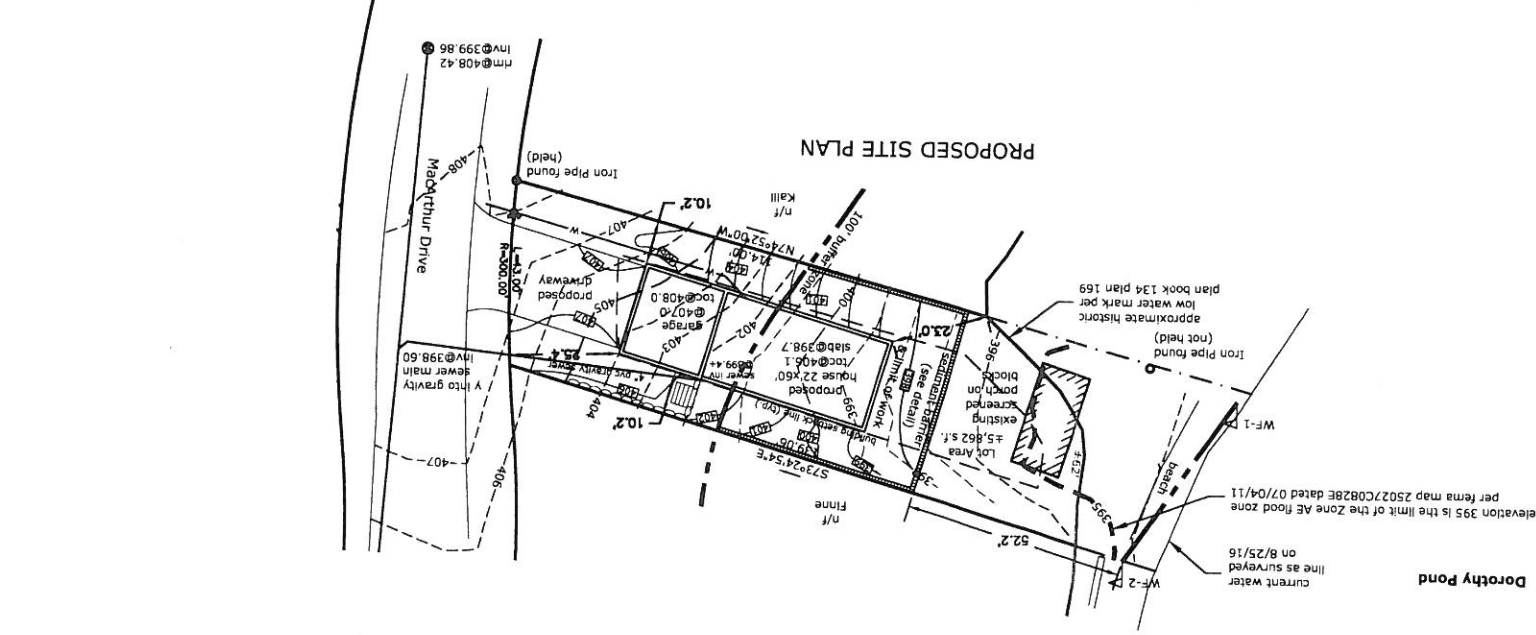
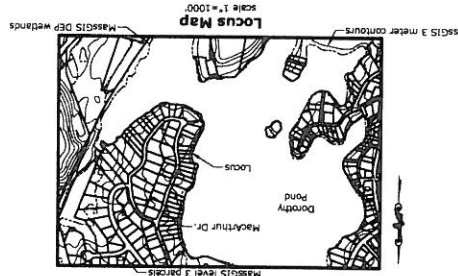
www.landplanninginc.com
 781-294-4144
 Hanson
 1115 Main Street
 North Grafton
 214 Worcester St.
 Bellingham
 167 Hartford Ave.
 Bellingham, MA 02019
 508-966-4130
 Environmental Consultants
 Land Planners, Inc.

Field By:	BH/JB	11/13
Designed By:	BH	12/13
Drawn By:	BH	12/13
Checked By:	NGH	12/13

No.	Date	Design	Checked
1			
2			
3			
4			
5			
6			

Norman G. Hill, PLS #41786
 Date:
 Norman G. Hill, PE #31887
 Date:

Site Plan
 for New Construction of
 Single Family
 Residence on a
 Grandfathered Lot
 Located at
 80 MacArthur Drive
 Millbury, MA
 owner/applicant
 Brian D. Larosee
 & Susan L. Larosee
 77 MacArthur Drive
 Millbury, MA 01527



Legend

☐	Catch Basin
○	Drain Manhole
—100—	Proposed Contour
—100.0 x	Proposed Spot Grade
—	Existing Contour
○	Utility Pole
⊗	Water Gate Valve
⊕	Hydrant
⊙	Soil Test Pit
○	Well
—	stone wall
—	tree line

Erosion & Sediment Control Notes:

- The contractor and all sub-contractors are to be made aware that this project is subject to an order of conditions from the Conservation Commission and its regulations applicable to the site.
- Sediment barriers are to be installed where shown on this plan. The contractor and the owner are responsible for the proper maintenance of the sediment barriers and to identify and correct any erosion or sedimentation problems.
- No changes in grading are proposed by this plan. Stockpiled material that is subject to erosion is required in order to ensure the proper protection of the resource areas.
- Temporary stabilization of disturbed areas is required to limit erosion toward the properties and public ways. All graded slopes are to be stabilized on a daily basis with straw wattle. Erosion shall be controlled as it proceeds on the down-slope side toward the resource areas.
- The contractor is to use proper judgment relative to construction practices during adverse weather conditions or periods of heavy rainfall. Inspection is required after more than 1/2" of rainfall in 24 hours.
- All graded areas are to be seeded and mulched as soon as possible in order to insure the rapid stabilization of the exposed slopes. A grass seed mixture of 20% Red Top, 60% Chewings fescue and 20% Kentucky bluegrass is recommended. "Hydroseed" with high fiber content.
- The sediment barriers shall remain in place until all up-gradient areas have been stabilized.
- During periods of heavy rainfall, it will be expected to experience erosion of the stabilized slopes. Immediate attention to the maintenance of these graded areas will further insure the successful stabilization of the exposed slopes while limiting the impact to nearby resource areas.
- Refric inspections of the entire construction site are to be performed by a competent representative who will insure the adherence to the regulations as set forth in 310 CMR expressed consent of the owner.
- No unimproved areas are to enter the construction area without the approval of the work.
- The Applicant is to notify the Conservation Commission once the jurisdictional work has been completed and the entire site has been properly stabilized. Upon approval of the work subject to the order of conditions, the applicant is to receive a Certificate of Compliance.

References

MassGIS level 2 contours
 MassGIS DEP wetlands
 Scale 1" = 1000'

References

Minimum Front Yard Setback: 25'
 Minimum Side Yard Setback: 10'
 Minimum Lot Area: 40,000 s.f.
 Minimum Frontage: 100'
 Zoning: Residential (R-3)

Minimum Front Yard Setback: 25'
 Minimum Side Yard Setback: 10'
 Minimum Lot Area: 40,000 s.f.
 Minimum Frontage: 100'

12,500 s.f. with water and sewer
 Minimum Rear Yard Setback: 10'

600' on the same side of the street (±20' for this neighborhood)
 ± of the average of the front setbacks within

References

Dred: Book 3032 page 26
 Plan: Plan book 134 plan 69
 Benning: Plan book 134 plan 69
 Datum: NAVD 1988

**Town of Millbury
Board of Appeals**

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Robert Simmarano, Vice Chairman
Ken Perro, Clerk
Harold Proodian
Daniel Mezynski
Anna Lewandowski, Alternate member



MUNICIPAL OFFICE BUILDING
127 ELM STREET
MILLBURY, MA 01527

Board of Appeals Approval Signatures for Meeting Minutes, Wednesday, August 30th, 2017

Paul Nigosian, Chairman

Kenneth Perro, Vice Chairman

Daniel Mezynski

Harold Proodian

Robert Simmarano, Clerk

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TOWN OF MILLBURY

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YOUR ADDRESS & HEARING ATTENDING

(example) John Doe

123 Main St. Millbury, Michael Muller

R Pedone Isalo Ter millbury muller

M Muller Rayburn drive

M Muller Jr

Dirck Mcgovern

Susan Larosee 77 MacArthur Dr. Millb.

Brian Larosee 77 MacArthur Dr.

Rodney Finne Jr 78 MacArthur Dr.

Rodney Finne Sr 78 MacArthur Dr.

Marybeth Kahl 82 Mac Arthur Dr.

Paul Kahl 82 Mac Arthur Dr.

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Sent: Monday, July 24, 2017 12:30 PM
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Subject: Letter

To Whom It May Concern:

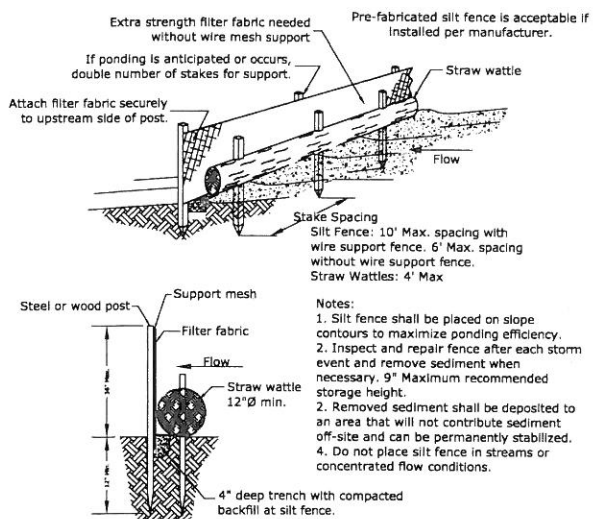
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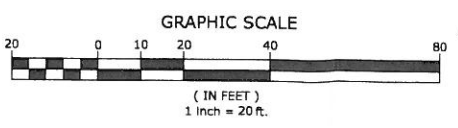
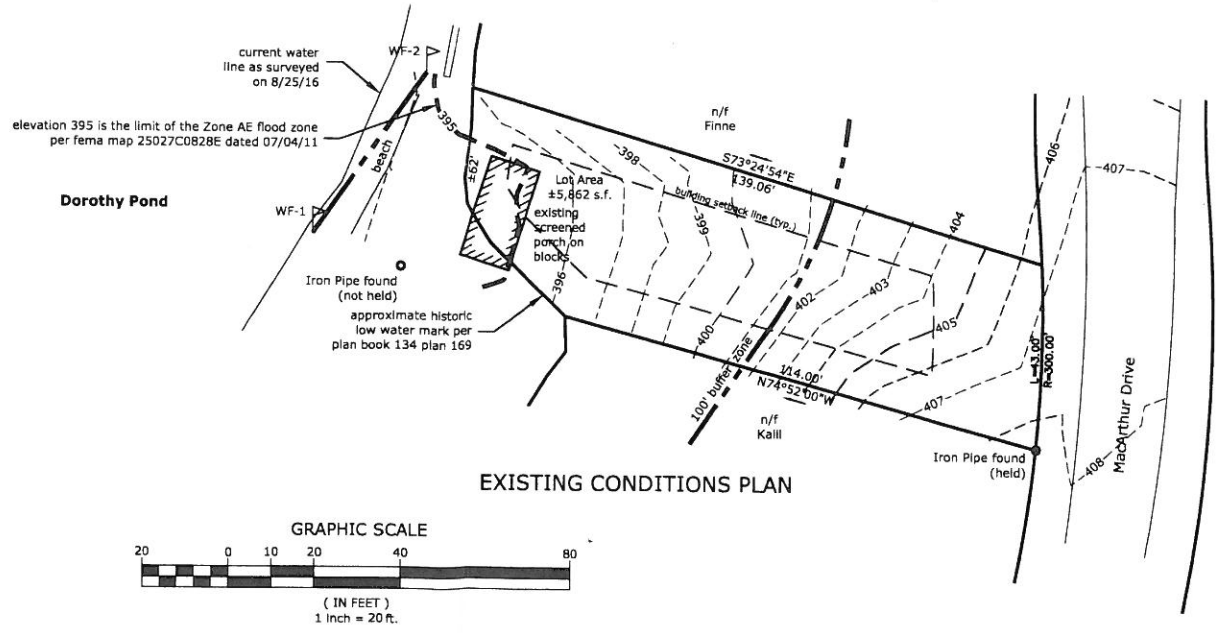
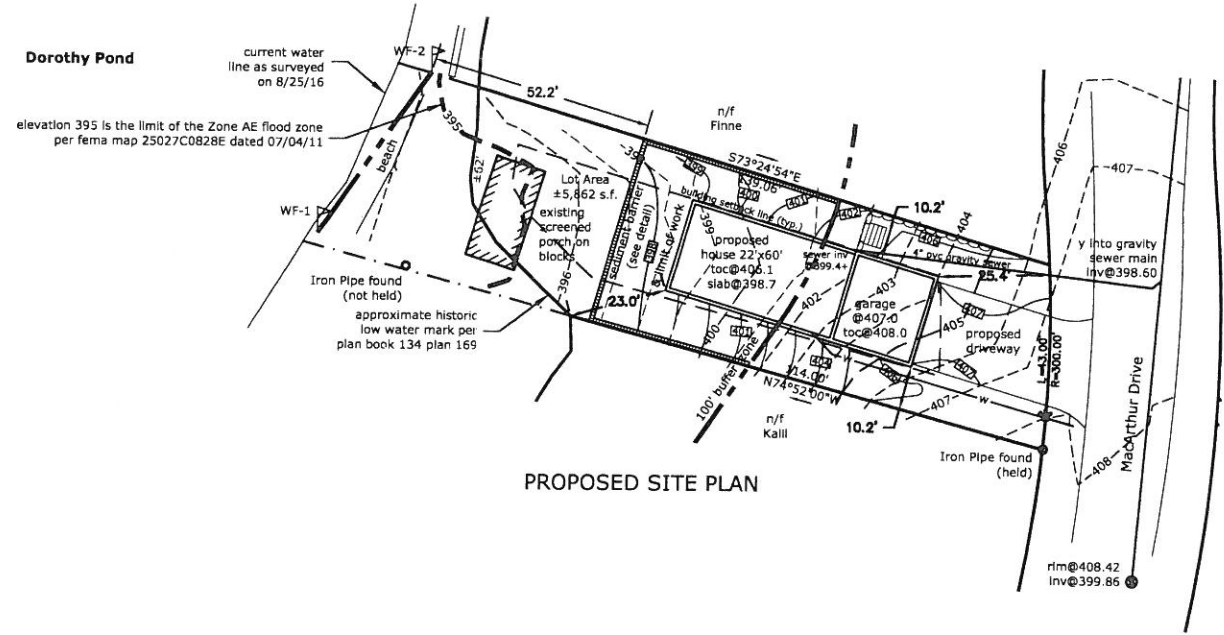
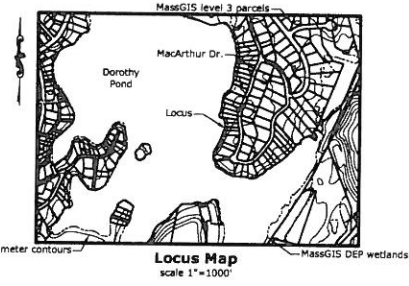
- Legend**
- Catch Basin
 - Drain Manhole
 - Proposed Contour
 - 100.0 x Proposed Spot Grade
 - Existing Contour
 - Utility Pole
 - Water Gate Valve
 - Hydrant
 - Soil Test Pit
 - Well
 - stone wall
 - tree line



Zoning: Residential (R-3)
 Minimum Frontage: 100'
 Minimum Lot Area: 40,000 s.f.*
 Minimum Front Yard Setback: 25**
 Minimum Side Yard Setback: 10'
 Minimum Rear Yard Setback: 10'
 *12,500 s.f. with water and sewer
 ** or the average of the front yards of buildings within 600' on the same side of the street (±20' for this neighborhood)

References
 Dwd: book 35032 page 26
 Plan: plan book 134 plan 69
 Bearing: plan book 134 plan 69
 Datum: NAVD 1988

- Erosion & Sediment Control Notes:**
- The contractor and all sub-contractors are to be made aware that this project is subject to an Order of Conditions from the Conservation Commission and its regulations applicable to this project. A copy of this Order is to be readily available on site at all times.
 - Sediment barriers are to be installed where shown on this plan. The contractor and the owner are responsible for the proper maintenance of the sediment barriers and to identify and correct all sources of erosion. Extra sediment barrier materials are to be stored on site in order to quickly repair erosion prone areas. Periodic maintenance of the erosion control structures is required in order to insure the proper protection of the resource areas.
 - No changes in grading are proposed by this plan. Stockpiled material that is subject to erosion shall be protected at its base on the down-slope side with a silt fence.
 - Temporary stabilization of disturbed areas is required to limit erosion toward abutting properties and public ways. All graded slopes are to be stabilized on a daily basis with special care taken to avoid routing rainfall through gullies toward the resource areas. Areas of erosion are to be repaired on a daily basis.
 - The contractor is to use proper judgment relative to construction practices during adverse weather conditions or periods of high groundwater. No work is to be performed near the wetland areas during periods of heavy rainfall. Inspection is required after more than 1/2" of rainfall in 24 hours.
 - All graded areas are to be loamed and seeded as soon as possible in order to insure the rapid stabilization of the erosion prone areas. A grass seed mixture of 20% Red Top, 60% Chewings Fescue and 20% Kentucky Bluegrass is recommended. "Hydroseed" with high fiber content.
 - The sediment barriers shall remain in place until all upgradient areas have been stabilized.
 - During periods of heavy rainfall, it will be expected to experience erosion of the unstabilized slopes. Immediate attention to the maintenance of these eroded areas will further insure the successful stabilization of the exposed slopes while limiting the impacts to nearby resource areas.
 - Periodic inspections of the entire construction site are to be performed by a competent representative who will insure the adherence to the regulations as set forth in 310 CMR 10.00. No unauthorized individuals are to enter the construction area without the expressed consent of the owner.
 - The Applicant is to notify the Conservation Commission once the jurisdictional work has been completed and the entire site has been properly stabilized. Upon approval of the work subject to the Order of Conditions, the applicant is to receive a Certificate of Compliance.



Site Plan

for New Construction of
Single Family Residence on a Grandfathered Lot
 Located at
80 MacArthur Drive
 Millbury, MA

owner/applciant
Brian D. Larosee
& Susan L. Larosee
 77 MacArthur Drive
 Millbury, MA 01527

I certify that the structures are located on the lot as shown on this plan. I further certify that the structures are not located within a Federal Flood Zone per FIRM Map #25027C0829E dated July 4, 2011. No certification is hereby made with any respect to any other provisions of the local Bylaws, or any other requirements relative to the legal establishment of structures and improvements on said premises.

Date:
 Norman G. Hill, PLS #41786

Date:
 Norman G. Hill, PE #31887

REVISIONS			
No.	Date	Design	Checked
1			
2			
3			
4			
5			
6			

Field By: BH/JB 11/13
 Designed By: BH 12/13
 Drawn By: BH 12/13
 Checked By: NGH 12/13

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