

TOWN OF MILLBURY, MASSACHUSETTS
The Planning Board

NOTICE OF DECISION
SITE PLAN APPROVAL

Applicant/Owner:

Date: August 24, 2020

United Material Management of Millbury, LLC
200 Friberg Parkway, Suite 4001
Westborough, MA 01581

Premises Affected:

333A Southwest Cutoff (Route 20)
Millbury, MA 01527

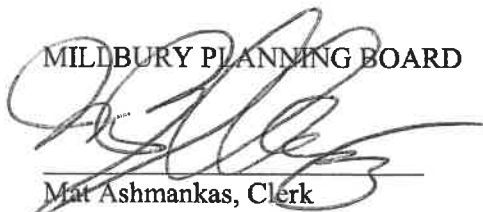
On Monday, July 20, 2020 the Millbury Planning Board conducted a public hearing on the application of United Material Management of Millbury, LLC for Site Plan Review under Article I, Section 12.4, of the Millbury Zoning Bylaw. The Applicant desires to construct a 23,120 square foot addition to the existing processing building and 6 new parking spaces. The public hearing was held virtually via Zoom due to the ongoing COVID-19 pandemic. The hearing was continued and a subsequent hearing was held on August 24, 2020. Public hearings held on July 20, 2020 and August 24, 2020 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.

Upon closing the public hearing, the Planning Board voted to **GRANT** site plan approval under Article 1, Section 12.4 of the Zoning Bylaws subject to conditions, safeguards and limitations on time or use. VOTE: Members present: Richard Gosselin (yes), Mat Ashmankas (yes), Bruce DeVault (yes), Terry Burke Dotson (yes), and Paul Piktelis (yes).

The decision of the Board, together with a 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 August 27, 2020.

IMPORTANT: Pursuant to Article I, Section 12.49(f), of the Millbury Zoning Bylaw, any appeal from this decision of the Planning Board can be made only pursuant to M.G.L. c. 40A, Sec. 17, and must be filed within twenty (20) days after the date of filing of the decision with the Town Clerk.

MILLBURY PLANNING BOARD


Mat Ashmankas, Clerk

TOWN OF MILLBURY, MASSACHUSETTS
The Planning Board

Date Filed: June 23, 2020

RECORD OF PROCEEDINGS
On Application For Site Plan Approval

I, Mat Ashmankas, Clerk of the Planning Board, hereby certify that the following is a detailed record of its proceedings relative to the application of United Material Management of Millbury, LLC for property located at 333A Southwest Cutoff, Millbury, MA 01527, located in the Industrial II District, shown on Millbury Assessors' Map 9 as Parcel 215 (the "Property") for site plan approval under Article I Section 12.4 of the Millbury Zoning Bylaw (the "Property").

1. The Applicant desires to construct a 23,120 square foot addition to an existing building and six parking spaces at the Property.
2. The Property is shown on a plan entitled "United Material Management of Millbury, LLC, 333A Southwest Cutoff, Millbury, MA 01527 Site Plan Review" prepared by Green Seal Environmental, Inc., dated June 11, 2020 (the "Site Plan").
3. The Planning Board relied on the following documents, in addition to the testimony presented at the public hearing, in making its decision:

Date	Document
As amended through May 1-2, 2018	Town of Millbury Zoning Bylaws
As amended through 2018	Millbury Municipal Code
November 14, 2016 and subsequently modified in March 2017, May 2017, December 2017, and July 2018	"Notice of Decision Site Plan Approval – Stormwater Management Permit", issued by the Millbury Planning Board
June 11, 2020	"United Material Management of Millbury, LLC, 333A Southwest Cutoff, Millbury, MA 01527 Site Plan Review" prepared by Green Seal Environmental, Inc. (the "Site Plan").
Stamped Received by Town Clerk on June 25, 2020	Site Plan Review application packet
June 2020	"Development Impact Statement" prepared by Green Seal Environmental, Inc.
July 17, 2020	Letter from Building Inspector

July 22, 2020	Email from Scott Lemay
August 17, 2020	Letter from Building Inspector

4. On June 23, 2020, the Applicant submitted application materials to the Planning Board, a true copy marked as Exhibit A.
5. 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 June 25, 2020 and July 2, 2020. The Chronicle is a newspaper of general circulation in the Town of Millbury. Notice of the hearing was posted by the Town Clerk on June 25, 2020 and 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.
6. On July 20, 2020, the Planning Board opened a public hearing to consider the application and receive comment thereon. With the Applicant's consent, the public hearing was continued to August 24, 2020 and subsequently closed. Five members of the Planning Board were present at each session of the public hearing.
7. After the hearing was closed, the Planning Board, in accordance with Article I, Section 12.46(a), of the Millbury Zoning Bylaw, based upon its review of the projected development impacts and the proposed methods of mitigating such impacts and having found that the proposed development is in conformance with the Zoning Bylaw Bylaws, voted to grant Site Plan Approval with conditions set forth as follows:
 - a. All rules, regulations and codes shall be adhered to including the Millbury Zoning Bylaw, Millbury Municipal Code, Massachusetts Building Code, and the Massachusetts Comprehensive Fire Code.
 - b. The Applicant shall obtain all necessary permits and approvals.
 - c. Compliance with all local, state and federal regulations is the responsibility of the applicant and its contractors.
 - d. Any substantial change shall require application for a new Site Plan Approval. The Planning Board shall determine what constitutes a substantial change.
 - e. All required fees and costs associated with the approval process and inspections shall be paid.
 - f. All construction debris shall be disposed of in compliance with applicable local and state laws.
 - g. Hours of construction of the project shall be limited to 7:00 am to 5:00 pm Monday through Friday, and 8:00 am to 4:00 pm on Saturday.

registered land surveyor, with the Planning Board and the Building Inspector identifying any change from the approved plan.

- i. 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).
- j. 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), Mat Ashmankas (yes), Bruce Devault (yes), Terry Burke Dotson (yes), and Paul Piktelis (yes).

MILLBURY PLANNING BOARD

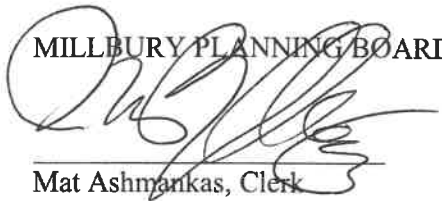

Mat Ashmankas, Clerk

Exhibit A
TOWN OF MILLBURY
APPLICATION FOR SITE PLAN REVIEW

15 JUN 25 11:58
TOWN CLERK
2020 JUN 25 AM 11:58
MILLBURY

APPLICANT:

NAME United Material Management of Millbury

STREET 200 Friberg Parkway, Suite 4001 CITY/TOWN Westborough

STATE MA ZIP 01581 TELEPHONE 508-245-4444

NAME OF PROPERTY OWNER (if different from Applicant) _____

Deed recorded in the Worcester District Registry of Deeds Book 46531 Page 212

SITE INFORMATION:

STREET AND NUMBER 333A Southwest Cutoff

ZONING DISTRICT I-2 ASSESSOR'S MAP/LOT #(S) Map 9 Block 215

LOT SIZE 6.33 FRONTAGE _____

CURRENT USE Solid Waste Processing

PROJECT PLAN INFORMATION:

PLAN TITLE United Material Management of Millbury

PREPARED BY (name/address of PE/Architect) Green Seal Environmental
114 State Road

DATES June 15, 2020
Sagamore Beach, MA
Whitney Hall P. E.

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

Section 12.4 Site Plan Review

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

Section 12.4 and Section 26

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 Scott Lemay

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

MILLBURY PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, the Millbury Planning Board will hold a public hearing on Monday, July 20, 2020, at 7:15 p.m., at the Municipal Office Building, 127 Elm Street, Millbury, MA, on the application of United Material Management of Millbury, LLC, property located at 333A Southwest Cutoff, Millbury, MA, for Site Plan Review under Article 1, Section 12.4 of the Millbury Zoning Bylaws to construct a 23,120 square foot addition to an existing building and six new parking spaces.

Application is available for review in the Planning Department during normal business hours. Anyone wishing to be heard on this matter should appear at the time and place specified above.

Richard Gosselin
Chairman

Please publish in the Millbury Sutton Chronicle on June 25, 2020 and July 2, 2020.

2020 JUN 25 AM 11:58
TOWN OF MILLBURY
PLANNING DEPARTMENT