

**TOWN OF MILLBURY, MASSACHUSETTS**  
**The Planning Board**

**NOTICE OF DECISION**

**SITE PLAN APPROVAL &  
STORMWATER MANAGEMENT PERMIT**

**59 Dwinell Road, MILLBURY, MA**  
**Assessor's Map 7, Lot 29**

Applicant/Owner:

Date: June 22, 2020

OneSchool Global New England  
109 Juniper Ridge Road  
Westwood, MA 02090


Application Filed: February 24, 2020

On Monday, March 23, 2020, the Planning Board had a scheduled public hearing on the application of OneSchool Global NE for Site Plan Review under Article I, Section 12.4 of the Millbury Zoning Bylaw and for a Post-Construction Stormwater Management Permit under Chapter 13.15 of the Millbury Municipal Code for property located at 59 Dwinell Road, Millbury, MA. The Applicant desires to construct a 4,517 square foot school, a 3,624 square foot gymnasium, 14-space parking lot, and associated improvements. The March 23, 2020 meeting did not take place due to the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20, dated March 12, 2020. Notice of continuation of the public hearing to April 13, 2020 was posted on the front door of the Municipal Office Building and filed with the Town Clerk on March 23, 2020. The public hearing was subsequently continued to April 13, 2020. Public hearings held on April 13, 2020, May 11, 2020 (no testimony taken), June 8, 2020, and June 22, 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 and stormwater management permit under Chapter 13.15 of the Millbury Municipal Code 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 6/23/2020.

**IMPORTANT:** Pursuant to Article I, Section 12.49(f), of the Millbury Zoning Bylaw, any appeal from this Planning Board decision 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  
  
Clerk

**TOWN OF MILLBURY, MASSACHUSETTS**  
**The Planning Board**

**RECORD OF PROCEEDINGS**  
**On Application For Site Plan Approval and**  
**Stormwater Management Permit**

**59 DWINELL ROAD, MILLBURY, MA**

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 OneSchool Global New England for property located at 59 Dwinell Road, Millbury, MA, within the Suburban I District shown on Millbury Assessors' Map 7 as Lot 29 (the "Property"), for site plan review under Article I, Section 12.4 of the Millbury Zoning Bylaw and for a stormwater management permit under Chapter 13.15 of the Millbury Municipal Code (the "Property").

1. The Applicant desires to construct a 4,517 square foot school, 3,624 square foot gymnasium, 14-space parking lot, and associated improvements.
2. The Property is shown on a plan entitled "Site Development Plan, 59 Dwinell Road, Millbury, Massachusetts", prepared for OneSchool Global New England, dated February 1, 2020, last revised June 11, 2020, prepared by Reynolds Engineering Services, LLC (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:

<b>Date</b>	<b>Document</b>
As amended through May 1-2, 2018	Town of Millbury Zoning Bylaws
As amended through 2018	Millbury Municipal Code
February 1, 2020, last amended June 11, 2020	"Site Development Plan, 59 Dwinell Road, Millbury, Massachusetts", prepared for OneSchool Global New England, prepared by Reynolds Engineering Services, LLC (the "Site Plan").
February 21, 2020	"New Campus – New England, Isometric Views", prepared by Infinity Group
February 24, 2020	Site Plan Review and Stormwater Management Permit application packet
February 14, 2020	"Stormwater Management Operations and Maintenance Plan, Proposed Education Facility, 71 McCracken Road, Millbury, Massachusetts", prepared by Reynolds Engineering Services, LLC
February 11, 2020 last amended May 12, 2020	"Stormwater Management Report", prepared by Reynolds Engineering Services, LLC
Stamped received on May 28, 2020	"Storm Water Management Standards", prepared by Reynolds Engineering Services, LLC

May 6, 2020	"Soil Suitability Assessment for Drainage" prepared by BC Engineering & Survey INC
June 16, 2020	"Routing Diagram for OS_POST 2_CB2", prepared by Reynolds Engineering Services, LLC
Stamped received on February 24, 2020	"Development Impact Statement for 71-73A McCracken Road, Millbury, MA"
June 9, 2020	Letter from Laurence Markham RE: Statement Regarding Use of Proposed School Facility at 59 Dwinell Rd, Millbury
June 15, 2020	Email from Verne Markham RE: Address/Lighting/Signage 1 of 2
Stamped received on February 24, 2020, amended May 28, 2020	Waiver Request for 59 Dwinell Road (formerly 71-73A McCracken Road), Millbury, MA
March 19, 2020	Request to Continue Public Hearing, Laurence Markham
May 29, 2020	Email from Mark Reynolds
May 29, 2020	Email from Mark Reynolds
June 15, 2020	Email from Mark Reynolds
May 5, 2020	Email from Laurence Markham
May 1, 2020	Email from Laurence Markham
March 23, 2020	Letter from Planning Director
June 4, 2020	Letter from Planning Director
June 16, 2020	Letter from Planning Director
March 28, 2020	Letter from Stantec
June 4, 2020	Letter from Stantec
June 18, 2020	Letter from Stantec
April 1, 2020	Email from Police Chief
April 7, 2020	Email from Fire Chief

1. On February 24, 2020, the Applicant submitted application materials to the Planning Board, a true copy marked as Exhibit A.
2. A legal ad, a true copy marked as Exhibit B, was published in the *Millbury Sutton Chronicle* on March 5, 2020 and March 12, 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 February 26, 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.

3. On April 13, 2020 the Planning Board opened a public hearing to consider the application and receive comment thereon. With the Applicant's consent, the hearing was continued to May 11, 2020 (without testimony), June 8, 2020, and June 22, 2020 on which date the hearing was closed. Five members of the Planning Board were present at each session of the public hearing when testimony was taken. After the public hearing was closed, the Planning Board, in accordance with Article I, Section 12.44(g) of the Millbury Zoning Bylaw, considered the Applicant's request for waivers and voted to grant the following waivers from the requirements of Article I, Section 12.4 of the Millbury Zoning Bylaw as specified below:
  - a. Section 12.44(e): waiver from the requirement to submit building elevation plans at the scale of  $1/8'' = 1'$ . The building elevation plans are at the scale of  $1/4'' = 1'$ .
  - b. Section 12.44(f): partial waiver from the requirement to submit a full Development Impact Statement.
  - c. Section 12.45(l): waiver from the requirement to construct the parking lot to the side or rear of buildings.
  - d. Section 12.45(o): waiver of the requirement to install concrete curb and gutters around the perimeter of parking areas and vertical granite curb where walkways abut the parking lot. Modified cape cod berm shall be installed around the perimeter of parking areas except that monolithic concrete curb shall be installed where the concrete sidewalk abuts the parking lot, no curb shall be provided alongside the stormwater retention basin located within the center of the parking lot, and vertical granite curb shall be provided along the driveway entrance radii.
4. In accordance with Article I, Section 12.46(a) of the Millbury Zoning Bylaw and Chapter 13.15 of the Millbury Municipal Code, 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 and Chapter 13.15 of the Millbury Municipal Code, the Planning Board voted to **GRANT** Site Plan Approval and a Stormwater Management Permit subject to conditions, safeguards and limitations on time or use 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. Any substantial change shall require application for a new Site Plan Approval and Stormwater Management Permit. The Planning Board shall determine what constitutes a substantial change.
  - d. All required fees and costs associated with the approval process and inspections shall be paid.
  - e. All construction debris shall be disposed of in compliance with applicable local and state laws.
  - f. Prior to construction activities, the Applicant shall do the following:

- 1) Pay \$6,000 to the Town of Millbury for deposit into a special account established by the Town Treasurer under M.G.L. Chapter 44, Section 53G to finance inspections of stormwater facility installation. The balance of this account shall at no time be less than one-half (1/2) the initial deposit, and the Applicant shall deposit with the Treasurer such additional funds as are required to restore the account to the amount of the initial deposit upon notice from the Board that the amount on deposit has been decreased by the expenditures described herein to an amount at or below one-half (1/2) of the initial deposit. If the Applicant fails to restore the account balance and the balance is insufficient to pay incurred professional and technical review fees, the Board shall place a stop work order on construction activities by not authorizing additional professional or technical work, including inspections, until outstanding invoices are paid. Ninety (90) days following the Building Inspector's issuance of an Occupancy Permit, any excess amount in the account attributable to that project, including any interest accrued, shall be repaid to the Applicant or the Applicant's successor in interest.
  - 2) Submit Site Plan with the following revisions for Planning Board review and approval:
    - Locate, depict and make provision for the existing drainage pipe under McCracken Road that discharges within the Dwinell Road right-of-way.
    - Revise sheet 9, "Sidewalk Access Ramp" to comply with ADA/AAB requirements.
    - Revise sheet 10, "Dwinell Road Cross Section" to include 2.5 inch bituminous binder course and 1.5 inch top course and label drainage swale side slopes;
    - Revise sheet 10, "Pavement Grinding Detail" to full depth reclamation (8" minimum) with 2.5 inch bituminous binder course and 1.5 inch bituminous top course.
    - Revise sheet 10, "Dumpster Area and Concrete Pad Detail" to eliminate the chain link fence with PVC slats label.
  - 3) Update the lighting plan to ensure that lighting for the parking lot is adequate, but not excessive. For safety and security reasons, a minimum of 0.3 ft/candles shall be provided for all parking spaces within the parking lot and at the intersection of Dwinell Road and the site driveway. The photometric plan should be updated to reflect these changes and submitted for Planning Board review and approval.
- g. Inspections of the stormwater facilities shall be conducted at appropriate times in the construction schedule in accordance with Municipal Code, Chapter 13.15.100. Any work which has been covered by subsequent work prior to inspection, or is otherwise not available or obscured to the point of rendering inspection of the work difficult, shall be considered to be not acceptable to the Planning Board. Such subsequent work shall be removed as directed by the Planning Board or its representative to insure availability of the work to be inspected as required herein.
- h. If blasting occurs, no perchlorate shall be used. The Applicant shall sample and analyze all wells for compounds contained in the proposed blasting materials prior to

any blasting if those wells are located within five hundred (500) feet of the blast area. These wells shall also be tested for quantity prior to any blasting. The blast area shall be defined as the limits of construction. All structures within five hundred (500) feet of the blast area shall be reviewed for cracks prior to any blasting. The Applicant shall alert property owners within five hundred (500) feet of a blast area, via certified mail, when blasting is complete.

- i. The Applicant shall ensure proper maintenance of plantings on the site, including replacement of dead or diseased plantings in the following planting season.
- j. The historic stone wall along McCracken and Dwinell Roads should be retained to the maximum extent possible. Stones that will be removed to make way for the new driveway opening and stone swale should be used to rebuild the wall in areas where it is missing or falling apart. The current gap in the stone wall along the McCracken Road frontage at the former driveway opening should be filled in.
- k. 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.
- l. Prior to issuance of an occupancy permit, the Applicant shall file two copies of the "as-built" plan, certified by a registered professional engineer and registered land surveyor, with the Planning Board and the Building Inspector identifying that bounds were installed at all lot corners and identifying any change from the approved plan.
- m. 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).
- n. 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), Terry Burke Dotson (yes), Michael Georges (yes), and Paul Piktelis (yes).

MILLBURY PLANNING BOARD  
  
Mat Ashmankas, Clerk

*Exhibit A*

**TOWN OF MILLBURY**  
**APPLICATION FOR SITE PLAN REVIEW**

**APPLICANT:**

NAME OneSchool Global New England  
STREET 109 Juniper Ridge Road CITY/TOWN Westwood  
STATE MA ZIP 02090 TELEPHONE 781-320-2756  
NAME OF PROPERTY OWNER (if different from Applicant) Hampton Street Baptist Church  
Deed recorded in the Worcester District Registry of Deeds Book 873 Page 68

**SITE INFORMATION:**

STREET AND NUMBER 71-73A McCracken Road  
ZONING DISTRICT S-1 ASSESSOR'S MAP/LOT #(S) Map 42 Parcel 7  
Map 34 Parcel 29  
LOT SIZE 17+ acres FRONTAGE 234.83' on McCracken Road  
CURRENT USE Vacant Land

**PROJECT PLAN INFORMATION:**

PLAN TITLE New England Campus - OneSchool Global  
PREPARED BY (name/address of PE/Architect) Reynolds Engineering Services, LLC  
63 Norwich Avenue, Colchester, CT 06415  
DATES January 27, 2020

USES FOR WHICH SITE PLAN REVIEW PERMIT IS SOUGHT (refer to the Zoning  
Bylaw - Use Regulation Table):  
Site Plan Development with School Building

CITE ALL APPROPRIATE SECTIONS OF THE ZONING BYLAW WHICH  
PERTAIN TO THIS APPLICATION; USE AND SITE: Section 23.12, 23.31

**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 *Frederick R. Markham*  
Property Owner's Signature (if not Applicant) *UNDER REVE P+S Contract*



**TOWN OF MILLBURY  
APPLICATION FOR STORMWATER PERMIT**

**APPLICANT:** \_\_\_\_\_

NAME OneSchool Global New England

STREET 109 Juniper Ridge Road CITY/TOWN Westwood

STATE MA ZIP 02090 TELEPHONE 781-320-2756

NAME OF PROPERTY OWNER (if different from Applicant) Hampton Street Baptist Church

Deed recorded in the Worcester District Registry of Deeds Book 873 Page 68

**SITE INFORMATION:**

STREET AND NUMBER 71-73A McCracken Road

ZONING DISTRICT S1 ASSESSOR'S MAP/LOT #(S) Map 42 par.7 & Map 34 Par.29

LOT SIZE 17+ acres FRONTAGE 234.83

CURRENT USE Vacant Land

**PROJECT PLAN INFORMATION:**

PLAN TITLE OneSchool Global New England

PREPARED BY (name/address of PE/Architect) Reynolds Engineering Services, 63 Norwich Ave, Suite 202  
Colchester, CT 06415

DATES Feb. 1, 2020

**USES FOR WHICH STORMWATER PERMIT IS SOUGHT**

Stormwater Control and Retainage on the property

**CITE ALL APPROPRIATE SECTIONS OF THE GENERAL BYLAW WHICH  
PERTAIN TO THIS APPLICATION; USE AND SITE:** Section 23.12, 23.31

**TO THE MILLBURY PLANNING BOARD:**

The undersigned, being the Applicant named above, hereby applies for a Stormwater Permit 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 \_\_\_\_\_

Property Owner's Signature (if not Applicant) Active P&S with owners approval

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, March 23 at 7:25 p.m., at the Municipal Office Building, 127 Elm Street, Millbury, MA, on the application of OneSchool Global New England, property located at 71-73A McCracken Road, Millbury, MA, for a Site Plan Review Permit under Article 1, Section 12.4 of the Millbury Zoning Bylaws, and for Post-Construction Stormwater Management Permit under Chapter 13.15 of the Millbury Municipal Code. The Applicant proposes to construct a 8,141 s.f. school with a gymnasium and associated paved parking area.

Plan is available for inspection in the Planning Department during normal business hours. Anyone wishing to be heard on this application should appear at the time and place designated above.

Richard Gosselin  
Chairman

Please publish in the Millbury Sutton Chronicle on March 5, 2020 and March 12, 2020.