



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

Memorandum

Date: March 26, 2022, Revised

To: Millbury Planning Board

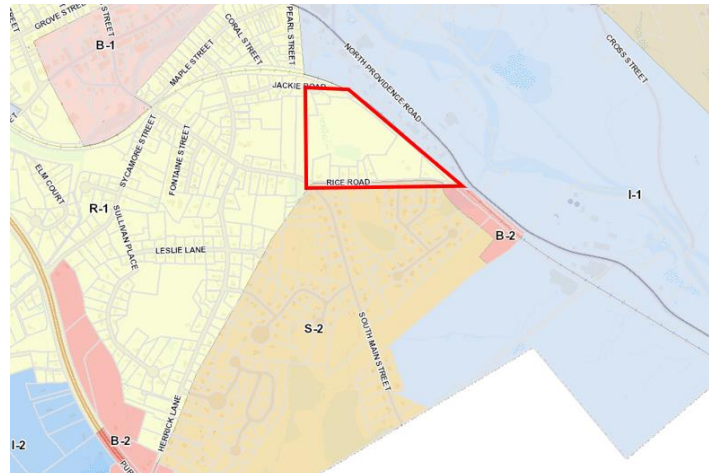
Re: Proposed Zoning Map Amendment – A Portion of Rice Road (R-1 to S-2)

Proposed Zoning Change:

A citizen's petition was filed February 22, 2022, to amend the Town of Millbury Zoning Map to change the zoning of the parcels listed below from the Residential I district to the Suburban II district. The parcels roughly encompass the northerly portion of Rice Road between its intersection with Providence Street to the east and South Main Street to the west.

- Assessors Map 63, Lot 74
- Assessors Map 63, Lot 75
- Assessors Map 63, Lot 76
- Assessors Map 63, Lot 126
- Assessors Map 63, Lot 127
- Assessors Map 63, Lot 128
- Assessors Map 63, Lot 129
- Assessors Map 63, Lot 130
- Assessors Map 63, Lot 144

The Planning Board's role in this matter is to make a recommendation for the Annual Town Meeting with respect to the proposed zone change.



Analysis

The list of parcels in the citizen's petition is inconsistent with the most current Assessors Map for the area the petition is looking to rezone. The petitioner(s) should amend the list of parcels on the floor of Town Meeting to match the most current Assessors Map.



The proposed zoning map change would extend the existing Suburban II district in south-central Millbury to the north side of Rice Road. This portion of Rice Road is serviced by Aquarion Water Company and town sewer.

The current zoning for this area, Residential I, is the most intensive residential zoning district in Millbury. It allows a 12,500 SF minimum lot size, when serviced by water and sewer, and has a 100' minimum frontage requirement.

The Suburban II district allows a 15,000 SF minimum lot size when served by water and sewer, with a 150' minimum frontage requirement.

The proposed zoning map amendment would make 3, 5, 7, 9, and 11 Rice Road legal, non-conforming lots as they would not meet the frontage requirements of the Suburban II zone. 7 Rice Road would also not meet the 15,000 SF minimum lot size requirement.

Three of the recently created lots from the ANR for 17 Rice Road- Map 63, Lots 75A, 75B, and 75C, would become legal, non-conforming by not meeting the frontage requirement. Lots 75A and 75B would also not meet the minimum lot size requirements.

0 South Main Street (Map 63, Lot 144) is already a legal, non-confirming lot due to not meeting the frontage requirement. The proposed zoning map amendment would make that lot more non-conforming by increasing the minimum frontage requirement.

1 Rice Road, 19 Rice Road, and parcel Map 63, Lot 75 (17 Rice Road) would conform to the dimensional requirements of the Suburban II district.

The Suburban II district only allows multi-family special permits on major roads. Rice Road is not considered a major road. A proposed development similar the recently denied Rice Pond Village would require a variance from the Board of Appeals. There seems to be significant interest from abutting neighbors to prevent a multifamily development in this area.

This portion of Rice Road is substantially developed and mirrors the layout and characteristics of the rest of the Residential I district south of Millbury Center. It would seem inconsistent with common planning practices and the 2019 Millbury Master Plan to impose more restrictive zoning to an established Residential-I area 1/2 mile from Millbury Center.

Additionally, it seems inconsistent with the Millbury Zoning Bylaw to turn 8 of the 12 affected parcels from conforming lots into non-conforming lots. Any future change to the footprint of these homes will require either a special permit from the Planning Board or a variance from the Board of Appeals, both of which are discretionary. This is a burden that will affect all current and future owners of these lots.