

RECEIVED  
TOWN CLERK

**CITIZENS PETITIONED ARTICLE  
CONTACT INFORMATION SHEET**

22 FEB 15 AM 9:33

MILLBURY, MASS.

This form must be submitted with each petitioned article

Date: 2/15/2022

Title of the Petition:

**Rezoning To Suburban II A Portion Of Residential I North Of Rice Road**

Contact Information for the lead petitioner:

Name: Steven S. Stearns

Address: 12 Thomas Hill Rd, Millbury, MA 01527

Phone (Home), \_\_\_\_\_

(Cell), +1-978-786-5104

Email Address: steveinleominster@gmail.com

Brief explanation of the Petitioned Article (Optional):

**This petition is to simply align the zoning districts on the north and south sides of Rice Road to be consistent with the purposes of Section 22 of the Zoning Bylaws.**

**FOR TOWN MANAGER / BOARD OF SELECTMEN USE ONLY- DO NOT WRITE IN THIS AREA**

Date Petitioned Article Submitted: \_\_\_\_\_

Date Signatures verified by Town Clerk: \_\_\_\_\_

The following Board/committee(s) will comment on this article:

\_\_\_ Board of Selectmen \_\_\_ Planning Board \_\_\_ Finance Committee

## CITIZENS PETITIONED ARTICLE FOR TOWN MEETING


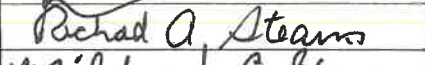
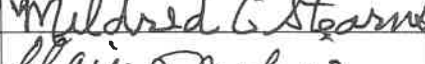
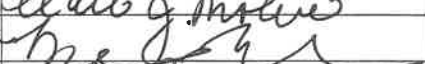


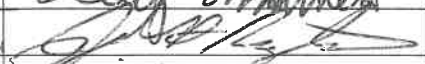
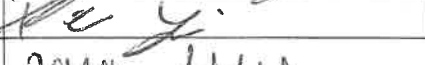



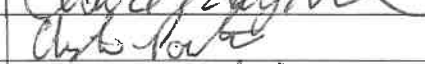
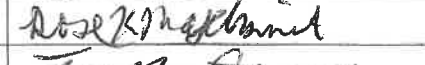
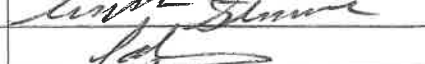






To the Honorable Board of Selectmen:

We, the undersigned registered voters of the Town of Millbury, hereby petition the Board of Selectmen pursuant to MGL Ch. 39, S. 10 to insert the following article into the Warrant for the X Annual        Special Town Meeting to be held on May 3, 2022 :

To see if the Town will vote to:

**amend the Zoning Map by rezoning to Suburban II District that portion of the Residential I District that includes the following lots shown on the Town of Millbury Official Zoning Map, last edited on November 2, 2021, and on file in the Town Clerk's Office, or take any action thereto:**

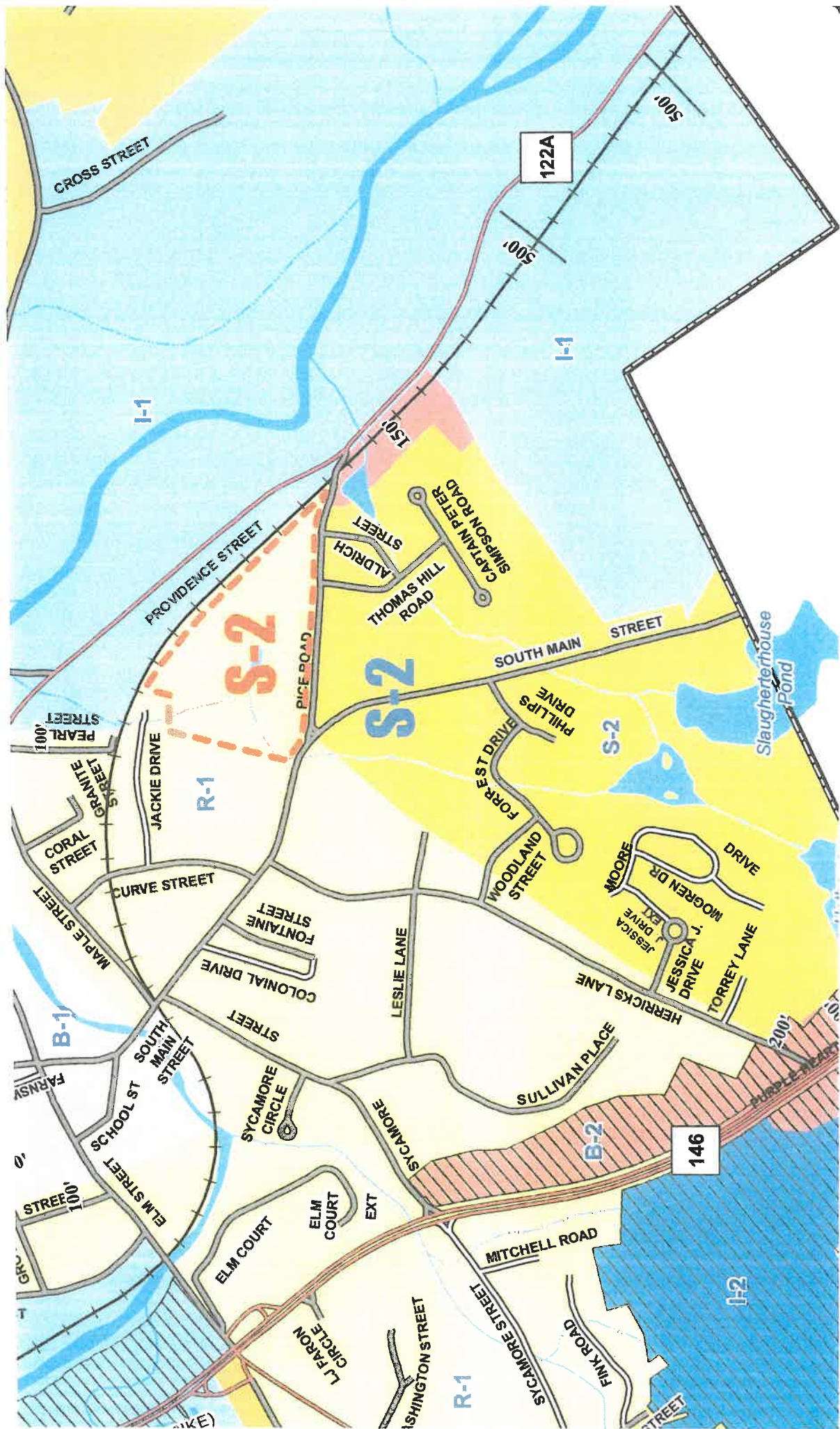
- Assessors Map 63, Lot 74
- Assessors Map 63, Lot 75
- Assessors Map 63, Lot 76
- Assessors Map 63, Lot 126
- Assessors Map 63, Lot 127
- Assessors Map 63, Lot 128
- Assessors Map 63, Lot 129
- Assessors Map 63, Lot 130
- Assessors Map 63, Lot 144

NO	Check Box	Printed Name	Signature	Street Address
1		Steven S. Stearns		12 Thomas Hill Rd
2		Richard A. Stearns		12 Thomas Hill Rd
3		Mildred C. Stearns		12 Thomas Hill Rd
4		Elaine J. Molino		11 Thomas Hill Rd
5		Robert J. Molino		11 Thomas Hill Rd
6		Jeffery Lyle B.		1 Rice Rd
7		Douglas Johnson		23 Rice Rd
8		Cody Mathieu		11 Rice Road
9		John Nagelschmidt		9 Rice Road
10		Patric Yaghobian		10 Rice Road
11		Cara Stacy		10 Rice Rd
12		Lisa Quinn		5 Rice Rd
13		Donna B. Nagelschmidt		9 Rice Road
14		Jennifer Stewart		12 Rice Road
15		Claire Nagelschmidt		9 Rice Rd
16		Austin Poulton		316 Millbury Ave
17		Rose Nagelschmidt		9 Rice Rd
18		FRANK STACHURA		14 RICE RD
19		Fatma ESSIF		20 RICE Rd.
20		Matthew Quinn		5 Rice Rd.

(You may attach another page if your petition wording does not fit on this page)

**OFFICE USE ONLY- DO NOT WRITE IN THIS AREA**

<b>CERTIFICATION OF NAMES</b>	<b>At least three registrars' names must be signed or stamped below</b>
<b>Date &amp; Day</b>  We certify that _____ (number of names certified- use numbers and words) above signatures checked are the names of qualified voters from this town.	<b>Registrars of Voters</b>  _____  TOWN CLERK – TOWN OF MILLBURY – WORCESTER COUNTY



JACKIE DR

PROVIDENCE ST (RTE 122A)

CENTRAL MANAGER

# Rezone Area From Residential I To Suburban II

Remaining  
Residential I

SOUTH MAIN ST

1 3 5 7 9 11 17 19

RICE ROAD

Current Suburban II

40m 200ft

# Town of Millbury Zoning Bylaws (Excerpts)

## Section 22. Residential Districts.

The intent of Residential Districts is to provide for a range of dwelling types in areas having existing development at **relatively high densities and having public utility service**, and in residential office overlay districts, to additionally provide for a limited range of compatible business uses. The Residential Office Overlay District overlies the presently existing Residential-I District. This underlying district remains unchanged, and all Residential-I regulations must be met, except where the requirements of the overlaying Residential Office District are more stringent, in which case the more stringent requirements shall govern.

22.2 In a Residential District the following uses are permitted if granted a special permit by the special permit granting authority:

22.21 In a Residential I District

- Accessory dwelling in accordance with Section 46.2
- Assisted Living Facility in accordance with Section 42;
- **Multifamily dwelling: provided that it is serviced by public sewerage and public water**
- Nonprofit club or lodge;
- Par 3 golf course;
- Public utility without service yards;
- Residential social service facility, provided that all building code, health and zoning by-law requirements are met, and that the specific premises are not unsuitable in relation to the needs of the persons being cared for<sup>1</sup> and in consideration of avoidance of undue concentration of such facilities in any neighborhood.
- Temporary structure or uses not conforming to this by-law;
- Accessory scientific use in accordance with Section 46;
- In a residential office overlay district only, offices for legal, educational, accounting, engineering, medical, real estate, insurance or architectural uses, or other activities having similar externally observable characteristics, or for a funeral home or mortuary; if not allowed outright under Section 22.13.

22.3 In a Residential District, no lot shall be built upon or changed in size or shape except in conformity with the following:

District	Minimum Lot Area	Minimum Lot Frontage	Minimum Yards Front/Side/Rear	Max. Lot Coverage	Max. Building Height
Residential	40,000 s.f.*	100 ft.	25 ft. / 10 ft. / 10 ft.	30 %	30 ft.

- \* The minimum lot area requirement may be reduced to 32,000 s.f. if the lot will be serviced by public water. The minimum lot area requirement may be reduced to 20,000 s.f. if the lot will be serviced by public sewerage. The minimum lot area requirement may be reduced to **12,500 s.f. if the lot will be serviced by public water and public sewerage.**

## Town of Millbury Zoning Bylaws (Excerpts)

- Multifamily dwelling, provided that it is serviced by public sewerage and public water, and **provided that access from a major street as herein defined does not require use of a minor street substantially developed for single-family homes.** In a Suburban Zone for dwelling units in excess of one, increase the minimum lot area requirement by 10,000 s.f. per additional dwelling unit, plus 5,000 s.f. per additional bedroom.
- Non-profit club or lodge;
- Public utility, without service yards;
- Airfield or heliport;
- Veterinary, animal hospital, or kennel;
- Temporary structures or uses not conforming to this bylaw;
- Residential social service facility, provided that all building code, health and zoning by-law requirements are met, and that the specific premises are not unsuitable in relation to the needs of the persons being cared for, and in consideration of avoidance of undue concentration of such facilities in any neighborhood.
- Accessory scientific use in accordance with Section 46.
- Accessory Dwelling in accordance with Section 46.2;
- Assisted Living Facility in accordance with Section 42;

23.3 In a Suburban District, no lot shall be built upon or changed in size or shape except in conformity with the following:

23.32 In a Suburban II District:

District	Minimum Lot Area	Minimum Lot Frontage	Minimum Yards Front/Side/Rear	Max. Lot Coverage	Max. Building Height
Suburban II	40,000 s.f.*	100 ft.	25 ft. / 10 ft. / 10 ft.	30 %	30 ft.

- \* The minimum lot area requirement may be reduced to 32,000 s.f. if the lot will be serviced by public water. The minimum lot area requirement may be **reduced to 15,000 s.f. if the lot will be serviced by public sewerage or if the lot is serviced by public water and public sewerage.**
- See Section 23.2 for multifamily formula.

### ARTICLE 5. DEFINITIONS

In this bylaw the following terms shall have the following meanings, unless a contrary meaning is required by the context or is specifically prescribed.

**Lot Coverage** - Percentage of total lot area covered by structures or roofed.

**Major Street** - All state-numbered highways (Routes 20, I-190, 122, 122A, and 146) Auburn Road, Carleton Road, Elm Street, Grafton Street, Greenwood Street, Howe Avenue, Martin Street, Millbury Avenue, McCracken Road east of Greenwood, North Main Street, Stone Road, Sutton Road, West Main Street, **plus any street subsequently laid out with right-of-way width of sixty feet (60') or more.**

## 5/3/2022 LOCAL ELECTION

## List of Signatories for a Petition

## CP REZONING ZONING MAP

Voter ID	Name of Voter	Residential Address	Ward	Precinct	Party
09BLE2768000	BOUCHARD, LYLE J	1 RICE RD MILLBURY, MA 01527	0	1	U
04EFA01750000	ESSIF, FATIMA	20 RICE RD MILLBURY, MA 01527-3016	0	1	D
01JDS3061000	JOHNSON, DOUGLAS ROY	3 RICE RD MILLBURY, MA 01527-3009	0	1	U
08MCY31890000	MATHIEU, CODY ETHAN	11 RICE RD MILLBURY, MA 01527	0	1	U
10MEE1255000	MOLINO, ELAINE J	11 THOMAS HILL RD MILLBURY, MA 01527-3020	0	1	R
11MRT1651001	MOLINO, ROBERT J	11 THOMAS HILL RD MILLBURY, MA 01527-3020	0	1	R
05NCE1295001	NAGELSCHMIDT, CLAIRE	9 RICE RD MILLBURY, MA 01527	0	1	U
01NDA0464000	NAGELSCHMIDT, DONNA RAE	9 RICE RD MILLBURY, MA 01527	0	1	U
11NJN0865001	NAGELSCHMIDT, JOHN HENRY	9 RICE RD MILLBURY, MA 01527	0	1	U
12NRE1098000	NAGELSCHMIDT, ROSE K	9 RICE RD MILLBURY, MA 01527	0	1	U
08PAN0795000	POULTON, AUSTIN ROBERT	316 MILLBURY AVE MILLBURY, MA 01527-3622	0	4	U
10QLA2986000	QUINN, LISA JOY	5 RICE RD MILLBURY, MA 01527	0	1	U
03QMW3185000	QUINN, MATTHEW J	5 RICE RD MILLBURY, MA 01527	0	1	U
11SFK0670000	STACHURA, FRANK E	14 RICE RD MILLBURY, MA 01527-3010	0	1	U
01SCA0694001	STACY, CARA	10 RICE RD MILLBURY, MA 01527	0	1	U
06SMD0131000	STEARNS, MILDRED C	12 THOMAS HILL RD MILLBURY, MA 01527	0	1	U
08SRD2531001	STEARNS, RICHARD A	12 THOMAS HILL RD MILLBURY, MA 01527	0	1	U
09SSN1962001	STEARNS, STEVEN S	12 THOMAS HILL RD MILLBURY, MA 01527	0	1	U
06SJR1060000	STEWART, JENNIFER	12 RICE RD MILLBURY, MA 01527-3010	0	1	D
10YPC0292000	YAGHOBIAN, PATRIC	10 RICE RD MILLBURY, MA 01527	0	1	D

\*\*\*End of Report\*\*\*