



2015

TOWN OF MILLBURY DEVELOPMENT GUIDEBOOK



A Guide to Millbury's Development
and Permitting Processes

Photo Credit: Edd Cote

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SECTION 1: INTRODUCTION

Thank you for obtaining a copy of the Town of Millbury Development Guidebook. This Guidebook directs you through the permitting and development process in the Town. This process can be quite cumbersome requiring a number of permits, approvals and licenses. We would like to make it easier for you by clarifying the various steps you should take, and the order in which they should be taken, to complete your project in the most efficient and cost-effective manner possible.

Please keep in mind that this Guidebook is **NOT** intended to be a substitute for talking to our staff. Think of it, instead, as a way of learning the process before you actually begin it. The staff liaisons listed for each department, board, and committee outlined are valuable resources and are available to meet with you to discuss your specific development project. Going into such a development venture aware of the process, and your part in it, will move things along in a much smoother fashion.

You should also be aware that obtaining all of the necessary permits, approvals and licenses before starting any development project is **YOUR** responsibility. The staff liaisons are here to help, but you are ultimately responsible for your project. This Guidebook primarily contains summary information. The complete texts, including the specific rules, regulations, requirements, and application forms are available in the various department offices during business hours. Many of the regulations and application forms are also available on the various department pages on the municipal website located at www.millbury-ma.org. We strongly encourage that you obtain the regulations pertaining to your development project before you begin designing your project. Strict adherence to local permitting requirements will minimize project delays and reduce the need for extensive revisions.

In addition to the information about each department, board, and committee involved in the permitting process, we have included a list of the federal and state permits that you may need to attain for your specific project. The Guidebook also contains a host of supplemental information in the Appendices, including the schedule of dimensional requirements for building in the Town and summary of facts about the Town of Millbury that you may find both helpful and interesting.

The more you understand about the permitting and development process in the Town of Millbury, the easier your development project will go. Take some time to review the contents of this Guidebook and contact the respective staff liaisons with your questions. Thank you for bringing your development project to the Town of Millbury! We look forward to working with you and hope to hear from you soon.

SECTION 2: STEP-BY-STEP PERMITTING PROCESS FOR CHAPTER 43D PROJECTS

On May 6, 2014, the Town of Millbury adopted Massachusetts General Laws Chapter 43D, “Expedited Permitting” (Article 44, 2014 Annual Town Meeting) as amended pursuant to Section 11 of Chapter 205 of the Acts of 2006. Chapter 43D provides a transparent and efficient process for municipal permitting, guaranteeing that permitting authorities will issue decisions for proposed developments at Priority Development Sites (PDSs) within 180 days. In adopting this expedited permitting process, The Town of Millbury is committed to working closely with applicants to guide them through the successful completion of development projects.

According to statute, a PDS is a privately or publicly owned property that is:

- (1) Located in a commercial or industrial underlying zoning district;
- (2) Eligible under applicable zoning provisions, including special permits or other discretionary permits, for the development or redevelopment of a building of at least 50,000 square feet of gross floor area in new or existing buildings or structures; and
- (3) Designated as a priority development site by the Interagency Permitting Board.

Several parcels or projects may be included within a single priority development site. Wherever possible, priority development sites are located adjacent to areas of existing development or in under-utilized buildings or facilities.

Millbury’s Priority Development Site as of January 2015 is called the Route 122A Priority Development Site and is shown in Figure 1 on page 6.

On January 13, 2015, the Millbury Board of Selectmen adopted the following step-by-step procedure for permitting developments within Priority Development Sites:

Step 1: Contact Director of Planning & Development

The Planning Director is designated as the Single Point of Contact, charged with coordination of Priority Development Site applications and review per 400 CMR 2.00 Expedited Permitting. Therefore, the applicant shall contact the Planning Director to introduce the project and review the conceptual site plan. The Planning Director shall provide initial comment, which the applicant shall incorporate into the first draft of the Site Plan.

Step 2: Informal Review by the Technical Review Committee

Upon the applicant’s request, the Planning Director will schedule a meeting between the applicant and the Technical Review Committee. The Technical Review Committee is an ad-hoc Committee comprised of the Planning Director, Town Manager, Director of Public Works, Building Inspector, Fire Chief, Police Chief, Health Agent, and representatives of the Planning Board, Conservation Commission, and Aquarion Water Company. One purpose of this meeting is to identify required permits, approvals and determinations that will be required and determine

the coordination and sequence of required approvals. A second purpose is to identify issues of concern and minimize the applicant's cost of engineering by commencing communication with development-related boards and departments at the earliest possible stage in the design process. To facilitate the discussion, the applicant shall supply 10 copies of the draft site plan and project narrative outlining the project scope to the Planning Director for distribution to the members of the Technical Review Committee in advance of the meeting. Ideally, copies of the draft site plan and project narrative will be distributed to Committee members at least one week prior to the meeting. The applicant shall incorporate Committee feedback into the formal draft of the site plan.

Please note that simultaneously, the applicant shall determine if any state or federal reviews may be required or triggered and, if so, what information must be gathered and submitted to meet state permit submission requirements. Please see Section 4 for a sample of state and federal permits.

Step 3: Formal Submission of Streamlined Permit Application Packet

After incorporating comments received from the Technical Review Committee, the applicant shall submit a single streamlined permit application packet, which will include all of the relevant board/commission/department applications and permit fees, to the Planning Director. Each permit application will be reviewed for completeness within a 20 business day timeframe. The Board of Selectmen will certify that the application is complete if it includes the following:

- All submission materials specified in the regulations and/or listed on application form(s);
- All appropriate fees, including the streamlined permit coordination fee of \$500;
- Zoning determination outlining specific zoning relief requested, if applicable.

The Board of Selectmen, through the Planning Director, may obtain guidance in determining application completeness from representatives of the boards/commissions/departments involved in the various application and permitting processes.

If the application is considered incomplete, the Planning Director shall notify the applicant via certified mail of any deficiencies in information which must be corrected and then re-submitted in order to be considered complete.

If the Town fails to notify the applicant via certified mail within 20 business days of its determination, then the application shall be deemed complete.

Once the application packet is determined to be complete, the Planning Director will distribute it to the permitting authorities for formal review. Review by the permitting authorities is concurrent.

Step 4: 180 Day Review Period

Boards/Commissions/Departments shall complete all reviews and render decisions within 180 days of the Certification by the Board of Selectmen that the submission is complete. Issuing authorities required to hold public hearings as part of the review process are encouraged to hold an initial joint public hearing to facilitate coordination and ensure timely review. Each

participating issuing authority may then continue the hearing, if necessary, to complete its reviews. Decisions, minutes, project notes, etc. shall be shared promptly between and among the reviewing boards/commissions/departments to facilitate communication and coordination on 43D projects. The Planning Director shall monitor review progress to ensure adherence to the 180 day review timeline.

The 180 day review timeline may be waived or extended for good cause upon written request of the Applicant with the consent of the Board of Selectmen, or upon written request of the issuing authority with the consent of the applicant.

Failure by any issuing authority to take final action on a permit or approval within the 180-day period or extended time, if applicable, shall be considered a grant of the requested relief of that authority.

Step 5: Vote/ Decisions Issued

Decisions may include: approval, approval with conditions, or denial of the application. Some decisions are subject to a public appeal period. Appeals of issuing authority decisions or automatic grants of approval must be filed within the Division of Administrative Law Appeals (DALA) in accordance with G.L. c. 43D, Section 10, within 20 days of the last permit issued or within 20 days of the 180 day expiration, whichever is later. The consolidated appeal does not apply to wetlands. DALA shall render appeals decisions within 90 days and aggrieved parties may further appeal to the Superior Court within 20 days of the DALA decision.

If all necessary permits, licenses and approvals are granted, the Applicant may proceed with project development.



1:5400
1"=450'



**Figure 1: Route 122A
Priority Development
Site**



1/29/2015 9:50:19 AM

The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.

SECTION 3: PERMITTING/LICENSING BOARDS, COMMISSIONS, DEPARTMENTS

BOARD OF APPEALS

Staff Liaison and Phone:	Paul Nigosian, Chairman (508) 769-9997
Office Hours:	Not applicable. The Board of Appeals does not have an office at the Municipal Office Building and therefore does not hold office hours.
Meeting Schedule:	Generally, last Wednesday of each month at 7:00 PM; Municipal Office Building, Large Conference Room
Members:	Paul Nigosian, Chairman Ken Perro Harold Proodian Robert Simmarano Anna Lewandowski, Alternate
Description:	The Board of Appeals is charged with issuing variances, comprehensive permits, certain special permits (as identified in Millbury Zoning Bylaws, Section 14) and appeals from a person aggrieved by decision of the Building Inspector/Commissioner.
Permits Issued:	Comprehensive Permits Special Permits Variances
Process for Obtaining Permit(s):	The Town Clerk's Office distributes and accepts applications on behalf of the Board of Appeals. The Town Clerk's Office then forwards the packet to the Board of Appeals for scheduling of a hearing and review of the application. Applicants receive notification of the hearing via mail.
Advertising Requirements:	Legal advertisement shall be published twice in the local newspaper. The first ad must be at least 14 days prior to date of the public hearing.
Time Frame for Public Hearing:	Once an application is filed with the Town Clerk, the Board of Appeals Clerk will set a hearing date, post and advertise the hearing, and mail notices to all abutters and the petitioner. The public hearing shall be held within 65 days of the filing date. Petitioner is to appear at the public hearing prepared to present the application.

Time Frame for Decision:

Please see Table 1 on page 11.

Appeal Process:

Any person may appeal a decision of the Board of Appeals to the Superior Court by bringing an action within 20 days of filing of the decision with the Town Clerk. The decision must be recorded at the Worcester Registry of Deeds upon expiration of the appeal period or settlement of the appeal.

Fee Schedule:

Filing Fees are as follows:

For Residential Use: \$250.00

For Business or Apartment Use (Over 3 units): \$250.00

For Industrial Use: \$365.00

Withdrawal of Petition (before advertising): \$50.00

Advertising Fee is as follows: \$80.00

Comprehensive Permit: \$1,600 plus \$100/unit and \$15,000 technical review fee

Applicable Local, State and Federal Statutes:

Millbury Zoning Bylaws
M.G.L. Chapter 40A

Table 1: Board of Appeals Application Timelines

Type of Application	Time to Public Hearing	Time to Decision	Time for Appeal
Special Permit	Within 65 days of submission date	Within 90 days of close of hearing	Within 20 days of submission of decision with Town Clerk
Variance	Within 65 days of submission date	Within 90 days of close of hearing	Within 20 days of submission of decision with Town Clerk
Administrative Appeal	Within 65 days of decision or order	Within 100 days of submission date	Within 20 days of decision filed with Town Clerk
Comprehensive Permit	Within 30 days of submission date	Within 40 days of close of hearing	Within 20 days of submission of decision with Town Clerk

BOARD OF HEALTH

Staff Liaison and Phone:	Julie VanArsdalen, Regional Public Health Specialist Julie Mitchell, Head Clerk Judy Bater, Clerk (508) 865-4721
Office Hours:	Monday – Friday, 9:00 AM – 4:00 PM; meetings and inspections are scheduled with the Health Agent by appointment.
Meeting Schedule:	Generally, 2 nd Wednesday of each month
Members:	Armand White, Chairman Ronald Marlborough, Vice Chairman James Morin, Clerk
Description:	The Board of Health is responsible for enforcing rules and regulations as set forth by the Department of Public Health and the Department of Environmental Protection, as well as local bylaw regulations.
Permits Issued:	Bakery Beaver Body Art Burial Camp Caterer Deli Disposal of Works Construction (Septic Inspections) Disposal of Works Installer Permit Food Establishment Frozen Dessert Funeral Director Milk Milk Pasteurization Mobile Food Percolation Test Public/Semi-Public Pool Rubbish Hauler Septic Hauler Tanning Establishment Temporary Rubbish Hauler Tobacco Well Permit

Process for Obtaining Permit(s):	Applications are available in the Board of Health Office or via the municipal website on the Board of Health page. Once the application is complete and all requirements are satisfied, a permit is issued. Permit renewal applications are sent to permit holders no less than 30 days prior to expiration date.
Advertising Requirements:	Not applicable.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	Up to 7 days from receipt of a complete application.
Appeal Process:	Applicants can appeal a decision to the Board of Health. Appeals can be in writing or heard at any scheduled Board meeting with advance notice.
Fee Schedule:	Please see Table 2 on page 14.
Applicable Local, State and Federal Statutes:	Town of Millbury General Bylaws Department of Public Health Regulations 105 CMR Department of Environmental Protection Regulations 310 CMR

Table 2: Board of Health Fee Schedule

TYPE OF PERMIT	PERMITS EXPIRE	FEE CRITERIA	FEE
Caterer Permit (One Day)	Per Event		\$25.00
Food Establishment Permit	June 30th	0-50 Seating	\$75.00
	June 30th	51-00 Seating	\$150.00
	June 30th	101-150 Seating	\$225.00
	June 30th	151-200 Seating	\$300.00
	June 30th	201+ Seating	\$375.00
Plan Review For Food Establishment			\$50.00
Milk Permit	June 30th		\$25.00
Milk Pasteurization Permit	June 30th		\$25.00
Frozen Dessert Permit	June 30th		\$25.00
Deli Permit	June 30th		\$75.00
Bakery Permit	June 30th		\$75.00
Mobile Permit	June 30th		\$75.00
Camp Permit	June 30th		\$100.00
Tobacco Permit	September 30th		\$30.00
Rubbish Hauler Permit	December 31st		\$500.00
Temporary Rubbish Hauler Permit	2 Weeks after issue		\$125.00
Septic Hauler Permit	December 31st	Per Truck	\$125.00
Disposal of Works Installer Permit	December 31st		\$100.00
Perculation Test Permit	1 Year after issue		\$250.00
Title 5 Plan Review			\$175.00
Disposal of Works Construct Permit (Septic Inspections)			\$275.00
Public /Semi-public Pool Permit	Last Day of Feb.		\$125.00
Body Art Permit	March 30th		\$200.00
Tanning Establishment Permit	March 30th	1-9 Beds	\$75.00
	March 30th	10-15 Beds	\$150.00
	March 30th	16 + Beds	\$200.00
Burial Permit			N/C
Funeral Director	April 30th		\$50.00

Well Permit Application	Residential		\$150.00
	Commercial		\$250.00
Late Fee for Permits		See Applications	\$25.00

BOARD OF SELECTMEN

Staff Liaison and Phone:	Bob Spain, Town Manager Patricia Hayes, Clerk (508) 865-4721
Office Hours:	Monday – Friday, 8:30 AM – 4:30 PM
Meeting Schedule:	Generally, 2 nd and 4 th Tuesdays of each month
Members:	Francis King, Chairman Sandra Cristo, Vice Chairman Mary Krumsiek, Clerk Brian Ashmankas William Borowski
Description:	The Selectmen are the primary policy-making body for a wide variety of issues that affect the Town's development and provision for services. They recommend the budget to the Annual Town Meeting, approve the reorganization of Town departments, provide oversight for matters in litigation, and act as the licensing authority for a wide variety of licenses and permits. The Selectmen appoint more than 14 boards and committees (permanent and ad-hoc) in the Town of Millbury.
Permits Issued:	Alcoholic Beverage Auctioneers Automatic Amusement Devices Automobiles Class I – New Car Dealer Class II – Used Car Dealer Class III – Junk Dealers Billiards, Pool & Bowling Alleys Boarding & Lodging Houses Boats Conveyance of Passengers Rental Cable Television Clubs, Association Dispensing Food or Beverages to Members Coffee & Tea Houses Common Victualler Entertainment Dancing School

Entertainment Provided By Innholder or Common
 Victualler
 Explosives, Storage, Manufacture or Sale Common
 Victualler
 Ferris Wheel
 Food Vehicles, Lunch Carts
 Fortune Tellers
 Hawkers, Transient Vendors
 Junk Collector or Dealer
 Lodging Houses
 Moving Buildings in Public Ways
 Parade
 Parking Lots
 Pawnbrokers
 Picnic Groves
 Pinball Machines
 Sales of Articles for Charitable Purpose
 Second Hand Dealers
 Shellfish
 Skating Rinks
 Soft Drinks
 Storage and Sale of Gasoline and Other Explosives
 Street Stands and Stationary Vehicles
 Taxicabs
 Theatrical Events, Public Exhibition

Process for Obtaining Permit(s):	Applications can be obtained in the Office of the Town Manager/Board of Selectmen or via the municipal website on the Board of Selectmen page.
Advertising Requirements:	Varies depending on the type of permit or license sought. Generally legal advertisement shall be published once in the local newspaper at least 14 days prior to date of the public hearing.
Time Frame for Public Hearing:	Varies depending on type of permit or license sought; consult the Office of the Town Manager/Board of Selectmen for full details.
Time Frame for Decision:	Varies depending on type of permit or license sought; consult the Office of the Town Manager/Board of Selectmen for full details.
Appeal Process:	Appeals of most Board of Selectmen decisions can be made to the Superior Court. Liquor License decisions can be

appealed to the Massachusetts Alcoholic Beverages Control Commission (ABCC).

Fee Schedule:

Please see Table 3 on page 19.

Applicable Local, State and Federal Statutes:

Millbury General Bylaws

M.G.L. Chapters 14, 40, 100, 101, 136, 138, 140, 148 & 166A

Table 3: Board of Selectmen Fee Schedule

TYPE OF PERMIT	FEE
Common Victualler	\$ 25.00
Automatic Amusement	\$30.00
Pool Table	\$30.00
Coin Operated Machine	\$30.00
Raffle Permit	\$30.00
Class I License	\$75.00
Class II License	\$50.00
Class III License	\$50.00
Auctioneers	\$100.00/year \$25.00/day
One Day Liquor License	\$10.00
Pole Petition	\$40.00
Drainlayers License	\$40.00
All Alcohol License	\$900.00
Club- All Alcohol	\$750.00
Restaurant- Wine & Malt	\$450.00
Package Store- All Alcohol	\$750.00
Package Store-Wine & Malt	\$450.00

DEPARTMENT OF PLANNING & DEVELOPMENT

BUILDING DIVISION - Building

Staff Liaison and Phone:	Robert Frederico, Building Inspector and Zoning Enforcement Officer Ronald DeSantis, Assistant Building Inspector Susan Dean, Clerk (508) 865-0438
Office Hours:	Monday – Friday, 8:30 AM – 4:30 PM
Description:	The Building Division issues all permits for the construction trades in accordance with the State Building Code and the Millbury Zoning Bylaws. The Building Inspector also serves as the Zoning Enforcement Officer.
Permits Issued:	Demolition Permit Building Permit Occupancy Permit Solid Fuel Burning Appliance Permit (wood, pellet, coal stoves) Sign Permit Zoning Interpretation
Process for Obtaining Permit(s):	All building construction requires a building permit in accordance with the State Building Codes and the Millbury Zoning Bylaws. Applications are available in the Department of Planning & Development and via the Town of Millbury website on the Building Division page. For advice regarding compliance with the Zoning Bylaws, please contact the Building Department. Inspections are completed upon receipt of the Building Inspection Request Form.
Advertising Requirements:	Not applicable.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	The review of a complete building permit application shall not exceed 30 days. Generally building permits are issued within 7 days of application. Building activity must occur within 180 days of issuance of a permit or the permit shall automatically expire.

Appeal Process: Appeals related to zoning shall be made to the Millbury Board of Appeals. Building code appeals shall be made to the Massachusetts Building Board of Appeals.

Fee Schedule: Please see Table 4 on page 22.

Applicable Local, State and Federal Statutes:

Millbury Zoning Bylaws
Millbury General Bylaws
Massachusetts Asbestos Regulations 310 CMR 7.15
Massachusetts Building Code 780 CMR
Massachusetts Energy Code
Massachusetts Fire Code 527 CMR
The Zoning Act (M.G.L. Chapter 40A)
Wetlands Protection Act (M.G.L. Chapter 131, Section 40)
Massachusetts Architectural Access Board 521 CMR
(M.G.L. Chapter 22, Section 13A)

Table 4: Building Permit Fee Schedule

RESIDENTIAL*COMMERCIAL*INDUSTRIAL

TYPE OF PERMITS	FEE
1&2 Family Dwellings *Additions	\$8 per \$1,000 of estimated cost as shown on contract
Renovations * Decks * Porches * Detached Garages * Roofing * Siding * Replacement Windows * Solar Installation	\$8 per \$1,000 of estimated cost as shown on contract / \$50 minimum
Sheet Metal/Residential	\$8 per \$1,000 of estimated cost as shown on contract / \$50 minimum
Pools In ground Above ground	\$75 \$50
Sheds	\$8 per \$1,000 of estimated cost as shown on contract/ \$40 minimum
Signs Temporary Permanent	\$40 \$75
Trailer Temporary	\$100
Stoves (Pellet, Wood, Coal)	\$40
Demolition (Residential/Commercial)	\$8 per \$1,000 of estimated cost as shown on contract / \$50 minimum
Commercial/Industrial Sheet Metal/Commercial	\$10 per \$1,000 of estimated cost as shown on contract / \$250 minimum
Tents	\$50
Reinspection Fee	\$40

**Estimated cost subject to building commissioners approval*

**Fees approved by Town of Millbury Board of Selectmen: April 14, 2009 – Effective April 15, 2009*

**Projects started without a permit are subject to double permit fees.*

**Credit cards and cash are not accepted. Checks must be made out to the "Town of Millbury."*

DEPARTMENT OF PLANNING & DEVELOPMENT

BUILDING DIVISION – Electrical & Wiring

Staff Liaison and Phone:	Larry Morris, Wiring Inspector Jeff Fenuccio, Assistant Wiring Inspector Susan Dean, Clerk (508) 865-4754
Office Hours:	The Wiring Inspector does not have an office at the Municipal Office Building and, therefore, does not hold office hours. Inspections are conducted Monday, Wednesday and Friday, 4:30 PM – 7:30 PM and by appointment for commercial properties. Inspections are scheduled upon receipt of a completed Electrical Inspection Request Form in the Department of Planning & Development.
Permits Issued:	Residential and Non-Residential Wiring Permits
Process for Obtaining Permit(s):	Permit applications are available in the Department of Planning & Development and via the Town of Millbury website on the Building Division page. Some electrical work may also require a building permit.
Advertising Requirements:	Not applicable.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	Not applicable.
Appeal Process:	Not applicable.
Fee Schedule:	Please see Table 5 on page 24.
Applicable Local, State and Federal Statutes:	Massachusetts Electrical Code 527 CMR 12.00

Table 5: Wiring Permit Fee Schedule

TYPE OF PERMITS	FEE
RESIDENTIAL	
1&2 Family Dwellings	\$100 (Underground \$125)
Additions * Renovations	\$80
Garage	\$75
New Service/Service Change (Includes Solar Installation)	\$50
Add Meter	\$50
Temporary Service	\$50
Appliance / Miscellaneous	\$40
Pools	
In Ground	\$75
Above Ground	\$50
Alarms	\$50
Signs	\$40
Reinspection	\$40
COMMERCIAL/INDUSTRIAL	\$100 plus \$5 per \$1000 of estimated cost as shown on contract

**Fees approved by Town of Millbury Board of Selectmen: April 14, 2009 – Effective April 15, 2009*

**Projects started without a permit are subject to double permit fees.*

**Credit cards and cash are not accepted. Checks must be made out to the "Town of Millbury."*

DEPARTMENT OF PLANNING & DEVELOPMENT

BUILDING DIVISION – Plumbing & Gas

Staff Liaison and Phone:	Greg Gauthier, Inspector of Plumbing and Gas Brian Gasco, Assistant Plumbing/Gas Inspector Michelle Desorcy, Clerk (508) 865-5411
Office Hours:	The Plumbing/Gas Inspector does not have an office at the Municipal Office Building and, therefore, does not hold office hours. Inspections are conducted Monday and Friday, 8:00 – 9:00 AM, Wednesday, 8:00 – 9:30 AM, and Saturday 9:00 – 11:00 AM (if necessary). Inspections are scheduled upon receipt of a Plumbing/Gas Inspection Request Form in Department of Planning & Development.
Permits Issued:	Natural/Propane Gas Permits Plumbing Permits
Process for Obtaining Permit(s):	Permit applications are available in the Department of Planning & Development and via the Town of Millbury website on the Building Division page. Permits for all new, renovation or replacement work shall be issued to valid Massachusetts gas fitters and licensed plumbers only. A homeowner CANNOT obtain a gas or plumbing permit for work performed at a residence. Permits are generally issued the same day with proper identification and proof of insurance coverage. Note that some plumbing and/or gas work may also require a building permit.
Advertising Requirements:	Not applicable.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	Not applicable.
Appeal Process:	Not applicable.
Fee Schedule:	Please see Table 6 on page 26.
Applicable Local, State and Federal Statutes:	Massachusetts FNEC Gas Code 248 CMR 3.00 - 8.00 Massachusetts State Plumbing Code 248 CMR 2.00

Table 6: Plumbing/Gas Permit Fee Schedule

TYPE OF PERMITS	FEE
PLUMBING	
1&2 Family Dwellings * Additions * Renovations	\$60 plus \$5 per fixture
Repairs	\$40
Backflow	\$40
Miscellaneous	\$40
Sewer Tie In	\$40
Reinspection	\$40
Commercial / Industrial	\$100 plus \$5 per fixture
GAS	
1&2 Family Dwellings * Additions * Renovations	\$40 plus \$10 per fixture
Appliance	\$50
Gas Log	\$40
Pool Heater	\$40
Generator	\$40
Miscellaneous	\$40
Reinspection	\$40
Commercial / Industrial	\$75 up to 6 fixtures, \$8 per each additional fixture

**Fees approved by Town of Millbury Board of Selectmen: April 14, 2009 – Effective April 15, 2009*

**Projects started without a permit are subject to double permit fees.*

**Credit cards and cash are not accepted. Checks must be made out to the "Town of Millbury."*

DEPARTMENT OF PLANNING & DEVELOPMENT

CONSERVATION COMMISSION

Staff Liaison and Phone:	Michelle Desorcy, Clerk (508) 865-5411
Office Hours:	Monday – Friday, 9:00 AM – 2:00 PM
Meeting Schedule:	Generally, 1 st and 3 rd Wednesday of each month
Members:	Donald Flynn, Chairman Ronald Stead, Vice Chairman Mathew Ashmankas, Clerk Anthony Cameron Paul DiCicco
Description:	The primary function of the Conservation Commission is to ensure local-level compliance with the Massachusetts Wetlands Protection Act and issue decisions relating thereto. Any work which involves removing, filling, dredging or altering an area within 100 feet of a wetland, flood zone or other protected area requires a filing with the Conservation Commission.
Permits Issued:	Determination of Applicability Order of Conditions Extension Permits Certificate of Compliance
Process for Obtaining Permit(s):	File a Notice of Intent or a Request for Determination of Applicability with the Conservation Commission and the Massachusetts Department of Environmental Protection (MassDEP). Applications are available in the Department of Planning & Development, on the municipal website on the Conservation Commission page and on the MassDEP website. Filings are in accordance with state regulations. Orders of Conditions expire in 3 years. Applicants are required to obtain a Certificate of Compliance following completion of construction.
Advertising Requirements:	Public meeting is required for a Request for Determination and a public hearing is required for a Notice of Intent. Legal advertisement, the cost of which is borne by the

applicant, shall be at least 5 days prior to public hearing. Notice of Intent filings require abutter notification.

Time Frame for Public Hearing: Please see Table 7 on page 29.

Time Frame for Decision: Please see Table 7 on page 29.

Appeal Process: Appeals may be made to the Department of Environmental Protection. After appeal process, decision must be recorded at the Worcester Registry of Deeds.

Fee Schedule: Fees are dependent upon the type and complexity of work proposed. Please contact the Conservation Commission Clerk for further information.

Applicable Local, State and Federal Statutes:

M.G.L. Chapter 131, Section 40
Wetlands Protection Act Regulations 310 CMR 10.00

Table 7: Conservation Commission Application Timelines

Type of Application	Time to Public Hearing	Time to Issue Permit	Appeal Period
Request for Determination (RDA)	Within 21 days from submission date	Within 21 days from close of hearing	10 days from issuance of permit
Notice of Intent (NOI)	Within 21 days from submission date	Within 21 days from close of hearing	10 days from issuance of permit
Abbreviated Notice of Resource Delineation (ANRAD)	Within 21 days from submission date	Within 21 days from close of hearing	10 days from issuance of permit

DEPARTMENT OF PLANNING & DEVELOPMENT

PLANNING BOARD

Staff Liaison and Phone:	Laurie Connors, Director Sue Dean, Clerk (508) 865-4754
Office Hours:	Monday – Friday, 8:30 AM – 4:30 PM
Meeting Schedule:	Generally, 2 nd and 4 th Mondays of each month
Members:	Richard Gosselin, Chairman Paul Piktelis, Vice Chairman Jeffrey Markarian, Clerk Edd Cote Michael Georges
Description:	The Planning Board is established by M.G.L. c.41 s.81A and is governed by local Zoning Bylaws and subdivision rules and regulations.
Permits Issued:	Form A (Approval Not Required) Form B (Preliminary Subdivision Plan) Form C (Definitive Subdivision Plan) Post-construction Stormwater Management Permit Site Plan Review Site Plan Review for Large-scale Ground-Mounted Solar Photovoltaic Installations Site Plan Review for Open Space Community Special Permits for the following: <ul style="list-style-type: none">• Accessory Dwelling• Adaptive Reuse Overlay Master Plan• Airfield & Heliport• Assisted Living Facility• Highway Corridor Overlay District• Multifamily• Reduced Parking Requirements Under Section 33.1• Scenic Road• Signs• Special Density Provisions• Temporary Structures

- Vegetation Removal
- Water Body Protection
- Wind Energy Systems
- Wireless Communications Facilities

Process for Obtaining Permit(s): Application is made to the Office of Planning & Development. Potential applicants are strongly encouraged to meet with the Director prior to submission. Applicants of medium and large-scale residential, commercial and industrial projects are encouraged to meet with the Technical Review Committee, an ad-hoc Committee comprised of the Planning Director, Director of Public Works, Building Inspector, Fire Chief, Police Chief, Health Agent, and representatives of the Planning Board and Conservation Commission. The purpose of this meeting will be to minimize the applicant's cost of engineering by commencing communication with development-related boards and departments at the earliest possible stage in the design process. The Technical Review Committee meets on an as-needed basis and is coordinated by the Planning Director, who handles all scheduling.

Advertising Requirements: Legal advertisement shall be published twice in the local newspaper. The first ad must be at least 14 days prior to date of the public hearing. A public hearing is necessary for site plan reviews, special permits, post-construction stormwater permits, and definitive plan submissions.

Time Frame for Public Hearing: Upon verification that an application submittal is complete, Planning staff will schedule the public hearing, which will typically occur within one month of submittal date. In the case of site plan review & special permit applications, the public hearing must be held within 65 days of submission of a complete application.

Time Frame for Decision: Please see Table 9 on page 34.

Appeal Process: Within 20 days after decision is filed with the Town Clerk, an appeal may be filed in accordance with M.G.L. c.40A s.17.

Fee Schedule: Please see Table 8 on page 33.

Applicable Local, State and Federal Statutes:

Millbury Zoning Bylaws

Millbury Rules and Regulations Governing the Subdivision
of Land

Millbury General Bylaws, Chapter 16, Section 16-3

M.G.L. Chapter 40A

M.G.L. Chapter 41

Table 8: Planning Board Fee Schedule

PERMIT	FEE
Approval Not Required (ANR)	Filing Fee: \$150/lot + \$50/new building lot + \$10/new survey point
Preliminary Plan	Filing Fee: \$500 + \$50/lot Technical Review Fee*: \$750
Definitive Plan (Seguin)	Filing Fee: \$150/lot + \$50/new building lot + \$10/new survey point
Definitive Plan – Preliminary / Open Space Community Plan WAS filed	Filing Fee: \$2,000 + \$100/lot Technical Review Fee*: \$7,500
Definitive Plan – Preliminary / Open Space Community Plan was NOT filed	Filing Fee: \$2,500 + \$150/lot Technical Review Fee*: \$7,500
Special Permit	Filing Fee: \$500 + \$20/parking space (\$7,500 maximum) or \$10/linear foot of wireless facility height (\$2,000 maximum) or \$50/dwelling unit (\$5,000 maximum if Subdivision Plan will be filed) or \$5/cubic yard of earth removed (\$2,000 maximum) Technical Review Fee*: \$3,000
Stormwater Management Permit	Filing Fee: \$200 Technical Review Fee: \$1,800 (0-2 acres) or \$3,000 (over 2 acres)
Repetitive Petitions	Filing Fee: \$300
Paper Street Improvement	Filing Fee: \$300 Technical Review Fee*: \$5/linear feet of roadway (\$1,000 minimum)

** Ninety days after issued a Certificate of Completion or sixty days after denied plan approval, the Planning Board shall refund any excess amount to the Applicant or the Applicant's successor in interest.*

Table 9: Planning Board Application Timelines

Type of Application	Time to Public Hearing	Time to Decision	Appeal
Approval Not Required Plan (ANR)	Within 21 days of submission date	Within 21 days of close of hearing	Within 60 days of decision
Preliminary Subdivision	Within 45 days of submission date	Within 45 days of close of hearing	N/A
Definitive Subdivision (Preliminary Filed)	Within 90 days of submission date	Within 90 days of close of hearing	Within 20 days of decision filed with Town Clerk
Definitive Subdivision (Preliminary Not Filed)	Within 90 days of submission date	Within 135 days of submission date	Within 20 days of decision filed with Town Clerk
Site Plan	Within 65 days of submission date	Within 90 of close of public hearing	Within 20 days of decision filed with Town Clerk
Special Permit	Within 65 days of submission date	Within 90 days of close of public hearing	Within 20 days of decision filed with Town Clerk
Stormwater Permit	Within 45 days of submission date	Within 21 days of close of public hearing	N/A

DEPARTMENT OF PUBLIC WORKS

Staff Liaison and Phone:	Robert McNeil, Director Cindy Allard, Clerk (508) 865-9143 Ronald Depres, Tree Warden (508) 865-9762
Office Hours:	Monday – Friday, 8:30 AM – 4:30 PM
Board of Sewer Commissioners Meeting Schedule:	Generally, 2 nd and 4 th Tuesday of each month
Sewer Commission Members:	Gary Nelson, Chairman Happy Erickson, Jr. Lisa Allain
Permits Issued:	Road Opening Permit Sewer Connection Permit Trench Permit Public Shade Tree Removal Permit
Process for Obtaining Permit(s):	Applications are available in the Department of Public Works (DPW) office. Road opening permits and trench permits are issued by the DPW Director. Sewer connection permits are issued by the Board of Sewer Commissioners. Public shade tree removal permits are issued by the Tree Warden. Removals of public shade trees require a public hearing unless the Tree Warden determines that the tree poses a significant risk to public safety.
Advertising Requirements:	In the instance of a public shade tree removal permit, legal advertisement shall be posted on the tree and published twice in the local newspaper. The first ad must be at least 7 days prior to date of the public hearing.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	The DPW Director generally issues permits within a day or two of submittal of a complete application package. Sewer connection permits are generally issued by the Board of Sewer Commissioners within a day or two of a regularly scheduled meeting.
Appeal Process:	Not applicable.

Fee Schedule:

Please see Table 10 on page 37. The Tree Warden does not currently charge a fee for a public shade tree removal permit.

Applicable Local, State and Federal Statutes:

Millbury General Bylaws
Town of Millbury Sewer Rules & Regulations
Rules & Specifications for Excavation Activity within the
Town of Millbury
M.G.L. Chapter 87

Table 10: Department of Public Works Fee Schedule

PERMIT	FEE
Road Opening Permit	
<i>Refundable Security Project (per project)</i>	
Excavation:	\$5,000
Driveway:	\$2,000
<i>Excavations – Inspection Fee</i>	
150 sq. ft. or less	\$175
Each additional 150 sq. ft.	\$35
<i>Non-Excavation or Public Obstruction</i>	
Per Day	\$25
Per Month	\$200
<i>Driveways/Aprons</i>	
New, Reconstruction or Enlargement	
Residential:	\$50
Commercial	\$150
Resurfacing Existing Driveway	\$20 each
<i>Coring or Shut Off Holes</i>	
Up to 5 Corings	\$15
6 Corings or More	\$35
Shut off Holes (each)	\$35
<i>Extended Maintenance Fee – New Pavement</i>	
0 – 12 Months Old	\$2,500
13 – 24 Months Old	\$2,000
25 – 36 Months Old	\$1,500
37 – 48 Months Old	\$1,000
49 – 60 Months Old	\$500
61 Months or Older	Standard Permit Fee
Sewer Connection Permit	
Residential:	\$50
Commercial/Industrial:	\$100
Trench Permit	
Annual (Jackie's Law) per year:	\$100
Application Fee (Each applicable activity)	\$100
Public Shade Tree Removal Permit	\$0

EARTH REMOVAL BOARD

Staff Liaison and Phone:	Al Peloquin, Chairman (774) 286-6359
Office Hours:	Not applicable. The Earth Removal Board does not have an office at the Municipal Office Building and therefore does not hold office hours.
Meeting Schedule:	Generally, 3 rd Tuesday of each month
Members:	Al Peloquin, Chairman Leonard Mort, Vice Chairman Thomas Brown, Clerk Mary Krumsiek Anna Lewandowski
Description:	The Earth Removal Board oversees the removal of all forms of soil including sod, loam, sand, gravel, clay, peat, hardpan, rock, quarried stone or mineral products in the course of excavation incidental to construction of a commercial, residential, institutional or industrial building or facility for which a building permit is required.
Permits Issued:	Earth Removal Permit
Process for Obtaining Permit(s):	The Town Clerk's Office distributes and accepts applications on behalf of the Earth Removal Board. The Town Clerk's Office then forwards the packet to the Earth Removal Board for scheduling a hearing and review of the application. Applicants are invited to a meeting to introduce the project and answer Committee questions. Notification of the meeting date and time is via telephone.
Advertising Requirements:	Not applicable.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	Within 7 to 10 days of meeting.
Appeal Process:	Once a permit has been issued, the Permit holder can appeal for a change or modification to any condition assigned to that permit within 60 days.
Fee Schedule:	Filing Fee is \$1,500 for an Active Permit or \$500 for a Continuation or Close Out Permit.

Technical Review Fee is \$5,000 (balance is refundable upon completion of the project).

Applicable Local, State and Federal Statutes:

Millbury General Bylaws, Chapter 14, Article II, Section
14-21 Earth Removal Bylaw
Town of Millbury Earth Removal Board Rules &
Regulations

FIRE DEPARTMENT

BOARD OF FIRE ENGINEERS

Staff Liaison and Phone:	David Rudge, Fire Chief Regina Markey, Clerk (508) 865-5328
Office Hours:	Monday – Friday, 8:30 AM – 4:30 PM
Meeting Schedule:	Generally, 1 st and 3 rd Mondays of each month
Members:	David Rudge, Fire Chief Richard Hamilton, 1 st Assistant Chief Raymond Hobin Jr., 2 nd Assistant Chief Brian Gasco, 3 rd Assistant Chief Steven Piscitelli, 4 th Assistant Chief
Description:	The Fire Department operates 4 stations and provides firefighting, hazardous material response, vehicle rescue (extrication), and search and rescue services.
Permits Issued:	See Fee Schedule on page 41 for a complete listing.
Process for Obtaining Permit(s):	Permit applications can be obtained from Fire Headquarters, located at 126 Elm Street, during regular business hours. Permits are issued by the Fire Chief within 10 business days of receipt of a complete application. The Fire Chief also reviews site plans, subdivision plans, and building plans in regards to fire safety issues, fire alarm systems, and fire suppression systems, providing comment to the Planning Board and the Building Inspector as appropriate.
Advertising Requirements:	Not applicable.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	Most permits can be processed within 2 business days. In some cases, the Fire Department may request additional information which may delay the permit for up to 10 business days.
Appeal Process:	Appeals should be directed to Stephen Coan, Fire Marshall for the Commonwealth of Massachusetts.
Fee Schedule:	Please see Table 11 on page 42.

Applicable Local, State and Federal Statutes:

M.G.L. Chapter 148

MA Board of Fire Prevention Regulations 527 CMR

MA Fire Code 780 CMR

Table 11: Fire Department Fee Schedule

PERMIT	FEE
Smoke Detector	\$25.00 first, \$25.00 each additional dwelling
Smoke Detector (New Construction)	\$25.00 first, \$25.00 each additional dwelling
Smoke Detector/Carbon Monoxide Combo	\$25.00 per dwelling unit
Carbon Monoxide Only	\$25.00 per dwelling unit
Oil Burner/Tank Installations	\$25.00 for burner \$25.00 for tank \$50.00 for both
Propane Tank	\$15.00 to install plus:
Domestic	\$10.00 per tank up to 100LBS,
	\$15.00 per tank over 100LBS.
Commercial	\$10.00 per tank up to 100LBS.
	\$20.00 per tank over 100LBS.
Temporary	1/2 the usual fee
Underground	\$20.00 per tank
Tank Vehicle Inspections	Large truck -\$30.00/2 years Small truck-\$20.00/2 years
Gun Powder: Black & Smokeless	\$5.00 for five year permit
Removal of Underground Tanks	\$25.00 per tank
Removal of Aboveground Tanks	\$25.00 per tank \$10.00—tank for 275 GALS and smaller
Blasting Permit	\$25.00 for 30 day permit
Cannon-Mortar Fire	\$25.00
Fireworks Display	\$25.00
Fire Reports	\$5.00 per report
Fire Protection/Detection System	\$25.00 requires two sets of plans stamped by a fire protection engineer
Welding/Open Flame	\$10.00
Unvented Gas-Fired Space Heater	\$25.00

21E Site Report	\$25.00 or more per report
Existing Storage Facility (FP290)	\$20.00 for 5 year permit
Commercial Sale of Ammunition	\$25.00 per year
Storage of Flammable/Combustible In Accordance with 527 CMR 14.00	0-999 LBS. - \$5.00 1,000-1,999 LBS. - \$10.00 2,000-4,999 LBS. - \$15.00 5,000-29,999 LBS. - \$30.00 30,000-99,999 LBS. - \$50.00 100,000-199,999 LBS - \$75.00 200,000 LBS & over - \$100.00
False Fire Alarm (Millbury General Bylaws, Section 6-1)	Violation notices for 1 st and 2 nd offense \$300.00 fine for each subsequent offense <i>Cleared Annually</i>
Hazardous Materials Process/Processing	\$25.00 per annual permit
Open Burning Permit	\$10.00 per seasonal permit

POLICE DEPARTMENT

Staff Liaison and Phone:	Kenny Howell, Police Chief Kim Corey, Clerk (508) 865-3521														
Office Hours:	Monday – Friday, 8:00 AM – 4:00 PM														
Permits Issued:	License To Carry Firearms (LTC) Firearms Identification (FID) Card License of Solicitations & Canvassers														
Process for Obtaining License(s):	LTC/FID Card applications are submitted on-line using a computer at the Millbury Police Department located in the rear of the Municipal Office Building, 127 Elm Street. Kim Corey will oversee the application process on Wednesday and Thursday 8 AM – 11:30 AM and 1 PM – 3 PM. Applications for Solicitations & Canvassers License can be obtained at the Millbury Police Station and on the Millbury Police Department’s website (www.millburypolice.com).														
Advertising Requirements:	Not applicable.														
Time Frame for Public Hearing:	Not applicable.														
Time Frame for Decision:	LTC/FID Cards are issued 4-6 weeks after submission of the application. Solicitations & Canvassers License are issued at least 7 business days after submission of a written application.														
Appeal Process:	Appeals relating to LTC/FID Cards can be made to the District Court. Appeals relating to Solicitations & Canvassers Licenses can be made to the Attorney General.														
Fee Schedule:	<table><tr><td colspan="2">LTC/FID Card (Firearms)</td></tr><tr><td>• Under Age 70</td><td>\$100</td></tr><tr><td>• Age 70 years & older</td><td>Free</td></tr><tr><td colspan="2">FID Card (Chemical Spray)</td></tr><tr><td>• Under Age 18</td><td>\$25</td></tr><tr><td>• Age 18 years & older</td><td>Free</td></tr><tr><td>Solicitations/Canvassers License</td><td>\$25 plus \$12.50 for each additional person</td></tr></table>	LTC/FID Card (Firearms)		• Under Age 70	\$100	• Age 70 years & older	Free	FID Card (Chemical Spray)		• Under Age 18	\$25	• Age 18 years & older	Free	Solicitations/Canvassers License	\$25 plus \$12.50 for each additional person
LTC/FID Card (Firearms)															
• Under Age 70	\$100														
• Age 70 years & older	Free														
FID Card (Chemical Spray)															
• Under Age 18	\$25														
• Age 18 years & older	Free														
Solicitations/Canvassers License	\$25 plus \$12.50 for each additional person														

Applicable Local, State and Federal Statutes:

**Millbury General Bylaws, Chapter 13, Art. III, Section
13.30**

M.G.L. Chapter 140

TOWN CLERK

Staff Liaison and Phone:	Jayne Marie Davolio, Town Clerk Christine Billington, Assistant Town Clerk Ann Swanson, Clerk (508) 865-9110
Office Hours:	Monday, Wednesday, Thursday, Friday, 8:30 AM – 4:30 PM, Tuesday 8:30 PM – 7:00 PM
General:	The Town Clerk oversees all aspects of local, state and national elections, maintains all vital records, official action taken at Town Meetings, elections, and Planning Board and Board of Appeals decisions, as well as issues various permits and licenses, including business certificates. Any business conducting business under any title other than the business owner's real name must apply for and obtain a Business Certificate.
Permits Issued:	Business Certificate
Process for Obtaining Permit:	Complete and submit application.
Advertising Requirements:	Not applicable.
Time Frame for Public Hearing:	Not applicable.
Time Frame for Decision:	Immediate upon receipt of a complete application endorsed by the Building Inspector and Assessor.
Appeal Process:	Not applicable.
Fee Schedule:	\$30 for a 4 year term.
Applicable Local, State and Federal Statutes:	M.G.L. Chapter 110, Section 5

SECTION 4: STATE & FEDERAL PERMITS AND/OR APPROVALS

The following list is by no means exhaustive. If any question exists about the applicability of these permits, you are encouraged to seek legal counsel. Most small development projects do not require any federal or state permits or approvals, but as projects increase in size and complexity, the applicant should be aware of the potential applicability of any one or more of the following:

STATE PERMITS

Massachusetts created a document entitled “Environmental Permitting in Massachusetts” available at <http://www.mass.gov/eea/agencies/czm/program-areas/federal-consistency-review/environmental-permitting-in-massachusetts.html> that provides brief descriptions of the major Massachusetts environmental permits and their processes. The Massachusetts Guidebook outlines the authority (laws), jurisdiction, and applicability, summary of the regulations, review process, forms, fees, websites and contacts. Because the document is now more than a decade old, it is important to realize that regulatory information may be outdated and website addresses and contact information may have changed. The document should be used as a guide only.

Executive Office of Environmental Affairs

Massachusetts Environmental Policy Act (MEPA) – Requires state agencies to evaluate the environmental impact of all projects or activities undertaken by state agencies, and of private projects seeking state funding or permits. Thresholds included within 310 CMR Section 11.03 determine whether or not MEPA review is required. MEPA review requires the submittal of an Environmental Notification Form (ENF) and potentially an Environmental Impact Report (EIR).

Massachusetts Department of Environmental Protection (MassDEP)

Massachusetts Clean Waters Act – The Division of Wetlands and Waterways in the Department of Environmental Protection (MassDEP) administer the 401 Water Quality Certification Program. The 401 review ensures that a proposed dredge and/or fill project that may result in the discharge of pollutants complies with Massachusetts Surface Water Quality Standards, the Massachusetts Wetlands Protection Act, and otherwise avoids or minimizes individual and cumulative impacts to Massachusetts waters and wetlands. As the authority to administer the 401 Water Quality Certification is derived from the Federal Water Pollution Control Act, only projects that require a federal permit are subject to 401 review. Review by the Division of Marine Fisheries is part of the 401 process.

Massachusetts Wetlands Protection Act and Rivers Protection Act – The Wetlands Protection Act protects Massachusetts’ wetlands resources by ensuring that the beneficial functions of these resources are maintained. Projects proposed in wetlands resource areas or in the buffer zone around them must obtain a permit called an Order of Conditions from the Millbury Conservation Commission. To obtain an Order of Conditions, the applicant must submit a Notice of Intent (NOI) to the Conservation Commission. A copy of this NOI is also submitted to the MassDEP, which issues a project number for the proposed activity.

State Environmental Code (Title V) – Sanitary waste is disposed either to Millbury’s municipal sewer system or to a system in compliance with Title 5 of the State Environmental Code. Septic systems generating less than 10,000 gallons per day are regulated by Millbury’s Board of Health. Larger systems are reviewed and approved by MassDEP.

Water Management Act (WMA) – The WMA protects water resources by limiting withdrawals to a “safe yield”. The applicant submits a water withdrawal application to the MassDEP Water Management Program and with Aquarion Water Company, which owns and manages Millbury’s water supply.

Massachusetts Clean Air Act – The federal Clean Air Act is largely implemented at the state level. Each state prepares an implementation plan (SIP) for approval by EPA. The Massachusetts Air Program, administered by DEP, is in conformance with the federal Clean Air Act and its amendments. Applicants proposing a large, stationary source of air pollution must obtain a pre-construction operating permit from MassDEP.

Resource Recovery and Conservation Act – Projects that generate hazardous materials must store and dispose of them in compliance with the federal Resource Conservation and Recovery Act (RCRA) requirements. MassDEP’s regulations are more stringent than RCRA hazardous material handling requirements. All generators of hazardous waste are responsible for its proper disposal. RCRA requirements include a “cradle to grave” tracking system for hazardous waste. Therefore, every shipment of hazardous waste by a large or small quantity generator must be transported by a licensed hauler and sent to a licensed treatment, storage, or disposal facility, or a permitted recycling facility, and must be accompanied by a Uniform Hazardous Waste Manifest. MassDEP provides a list of requirements for storage, handling, and shipping in its publication *A Summary of Requirements for Small Quantity Generators of Hazardous Waste*.

Massachusetts Department of Conservation and Recreation (DCR)

Forest Cutting Practices Act – This Act applies to timber harvesting on both public and private forestland and regulates commercial timber cutting of wood products in excess of 25,000 board feet or 50 cords on any parcel of land at any one time.

Massachusetts Historical Commission (MHC)

The applicant submits a Project Notification Form (PNF) to the MHC to obtain their written opinion regarding the impacts of the proposed project on historic resources. MHC will review the PNF and issue a determination. MHC will recommend appropriate avoidance and mitigation measures in the event that protected historic or archeological resources exist on the site.

Massachusetts Department of Transportation (MassDOT)

Written approval is required from MassDOT for projects that will involve the creation, alteration, expansion, or substantial impact upon an opening onto a state highway (i.e. curb cut permit). This includes property which has access directly onto state highways and property which abuts a state highway layout.

FEDERAL PERMITS

Federal Water Pollution Control Act

Section 404 Permit – Issued by the U.S. Army Corps of Engineers (ACOE) for activities involving discharge of dredged or fill material into waters of the U.S., including, navigable waters, coastal waters, inland rivers, lakes, streams, and wetlands. Refer to the ACOE's Programmatic General Permit to evaluate the level of regulatory review.

National Pollutant Discharge Elimination System (NPDES)

Construction Stormwater General Permit – Projects that disturb one or more acres of land require coverage by the NPDES Stormwater Construction General Permit. Obtaining coverage under the general permit requires the submission of an NOI as well as the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP).

APPENDIX A

Town of Millbury Dimensional Requirements (See Millbury Zoning Bylaws for More Information)

Zoning Code	Zoning District	Area Without Water & Sewer (Sq. Ft.)	Area With Water (Sq. Ft.)	Area With Sewer (Sq. Ft.)	Area With Water & Sewer (Sq. Ft.)	Minimum Frontage (Ft.)	Minimum Front Yard Setback (Ft.)	Minimum Side Yard Setback (Ft.)	Minimum Rear Yard Setback (Ft.)
R-I	Residential I	40,000	32,000	20,000	12,500	100	25	10	10
R-II	Residential II	40,000	32,000	20,000	12,500	100	25	10	10
R-III	Residential III	40,000	32,000	20,000	12,500	100	25	10	10
S-I	Suburban I (Within AWPO B)	60,000 80,000	60,000 80,000	60,000 80,000	60,000 80,000	150 200	25 25	10 10	10 10
S-II	Suburban II	40,000	32,000	20,000	20,000	150	25	10	10
S-III	Suburban III	40,000	32,000	20,000	20,000	150	25	10	10
S-IV	Suburban IV	40,000	32,000	20,000	20,000	150	25	10	10
BV	Bramanville Village	5,000	5,000	5,000	5,000	60	*	10	10
B-I	Business I Dwellings All Other	12,500 No Minimum	12,500 No Minimum	12,500 No Minimum	12,500 No Minimum	100 No Minimum	25 No Minimum	10 No Minimum	10 No Minimum
B-II	Business II Dwellings All Other	12,500 16,000	12,500 16,000	12,500 16,000	12,500 16,000	100 250	25 75	10 10	10 10
I-I	Industrial I	80,000	80,000	80,000	80,000	150	30	20	20
I-II	Industrial II	80,000	80,000	80,000	80,000	200	30	20	20

*The front yard setback requirement for a property containing exclusively residential use shall be a minimum of 18' and a maximum of 25'. The front yard setback requirement for a property containing non-residential use or mixed uses shall be a minimum of 0' and a maximum of 18'.

APPENDIX B
TOWN OF MILLBURY FACTS

General Facts

Total Area:	15.84 square miles
2012 Population:	13,305
2012 Registered Voters:	9,122
2012 Unemployment Rate:	6.9%
Total 2010 Housing Units:	5,627
Median 2009 Household Income:	\$71,681
Average FY 14 Single Family Assessed Value:	\$212,531
Average FY 14 Single Family Tax Bill:	\$3,634
FY 14 Tax Rate:	\$17.10
FY 14 Municipal Budget:	

Millbury Public Education

Elmwood Street School (K-2):	637 students
Shaw Memorial Middle School (3-6):	426 students
Millbury Memorial Jr/Sr High School (7-12):	713 students
Blackstone Valley Vocational Technical High School (9-12):	72 Millbury students
Millbury Public School 2013-2014 Enrollment:	1,776 students
Blackstone Valley 2013-2014 Enrollment:	72 students
Residential Population Age 25 or Over (2009 Estimate):	
High School Graduates:	91.7%
Bachelor's Degree or Higher:	28.5%
Municipal FY 13 Budget Dedicated to Education:	\$18,832,790

Town Government

Open Town Meeting ~ First Tuesday in May

Town Election ~ Last Tuesday in April

5 Member Board of Selectmen

Francis King, Chairman of Board of Selectmen

Robert Spain, Town Manager

Municipal Website: www.millbury-ma.org

Municipal Town Hall

127 Elm Street

(508) 865-4710

Fax (508) 865-0843

Millbury Police Station

127 Elm Street

(508) 865-3521

Fax (508) 865-5164

Website: www.millburypolice.com

Millbury Fire Department

126 Elm Street

(508) 865-3521

Fax (508) 581-9800

Millbury Public Library

128 Elm Street

(508) 865-1181

Fax (508) 865-0795

Millbury Senior Center

One River Street

(508) 865-9154

Fax (508) 865-0851

Asa Waters Mansion

123 Elm Street

(508) 865-0855

Website: www.asawaters.org

Millbury Services & Utilities

Refuse/Recycling: Millbury Recycling Center
207 Riverlin Street
(508) 865-3040

Sewer: Department of Public Works
Municipal Office Building
127 Elm Street
(508) 865-9143

Water: Aquarion Water Company
24 Providence Street
(508) 865-3998

Cable: Charter Communications
855-777-0279

Gas: NSTAR
800-592-2000

Electric: National Grid
800-322-3223

Safety/Emergency: The Police Department consists of 19 regular police officers, including a chief, 1 lieutenant, and 3 sergeants. The Fire Department consists of 1 chief, 4 assistant chiefs, 4 captains, 7 lieutenants, and 46 firefighters. All firefighters are paid on a per call basis.