

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA
September 10, 2018**

The meeting was brought to order at 7:31 p.m. by Ms. Anne Rich, Acting Chair.

The following members were present:

Anne Rich, Acting Chair

Christine Gavin, Daniel Lee, Charles Tangerini

Members Absent: Dr. James Lederer
 Ed Chisholm
 Ram Charan Khalsa

Others present: Jim McKay, Millis DPW
 Matthew Ashley, Bohler Eng., 352 Turnpike Rd., Southborough
 Robert Fox, 38 Benjamins Gate, Plymouth
 John Savilonis, 4 Paddock Lane
 Cameron McLean, 4 Paddock Lane
 Austin Turner, Bohler Eng., 352 Turnpike Rd., Southborough
 Michael Kambouris, 2 Paddock Lane
 Dan Merrikin, Merrikin Engineering

**DEP FILE#CE225-0398, NOTICE OF INTENT, PUBLIC HEARING, CONT.
28 EDEN STREET - THOMAS ROCHE**

The public hearing continuation was opened at 7:30 p.m. by Ms. Rich, Acting Chair.

Mr. Roche, via email dated August 22, 2018, requested a continuance to the October meeting.

On a motion made by Ms. Gavin, seconded by Mr. Lee, it was voted unanimously at 7:31 p.m. to continue the public hearing to Monday, October 1, 2018, 7:30 p.m.

**REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
4 PADDOCK LANE – JOHN SAVILONIS**

The public hearing was opened at 7:31 p.m. by Ms. Rich, Acting Chair.

Mr. Savilonis, representing the owner of the property, presented the application and plan. The proposal is to add an approximate 12' x 16' deck addition to an existing deck at the back of the house. Mr. Savilonis stated that eight footings (12" sonotubes) need to put into place that are within the fifty-foot wetland buffer (do not disturb zone). The deck addition is above the existing deck (eight feet in the air); only the sonotube installation would be a temporary disturbance, Mr. Savilonis stated.

The Commission was of the opinion that the digging of the sonotubes would be a temporary disturbance and not detrimental to the wetlands. Proper erosion controls will be put into place. Mr. Savilonis stated that the holes could be "hand dug" rather than the use of "heavy equipment."

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On a motion made by Mr. Lee, seconded by Ms. Gavin, it was voted unanimously at 7:57 p.m. to close the public hearing.

On a motion made by Mr. Lee, seconded by Mr. Tangerini, it was voted unanimously to approve a Negative 3 Determination of Applicability, with Special Conditions below:
Locations of sonotubes will be dug by hand – no heavy equipment will be used
Erosion controls shall be installed
Concrete must be wheelbarrowed in

**DEP FILE#CE225-0418, NOTICE OF INTENT, PUBLIC HEARING, CONT.
ORCHARD STREET CULVERT REPLACEMENT– DPW**

The public hearing continuation was opened at 7:59 p.m. by Ms. Rich, Acting Chair.

Mr. Turner of Bohler Engineering summarized the proposed project which entails the removal and replacement of the existing wetland/stream culverts in three locations along Orchard Street. The proposed work is largely within the Town owned right-of-way on Orchard Street, with limited portions located at 84 Orchard Street, 114 Orchard Street to 26 Bogastow Circle, and 9 Bullard Street to 123 Orchard Street.

Mr. Turner stated that the culverts are “being replaced in kind and will not change the existing hydrology.” A DEP file number was assigned.

On a motion made by Mr. Lee, seconded by Ms. Gavin, it was voted unanimously at 8:08 p.m. to close the public hearing.

On a motion made by Mr. Lee, seconded by Ms. Gavin, it was voted unanimously to approve an Order of Conditions, with Special Conditions, for the Orchard Street culvert replacement project, DEP File #CE225-0418.

**FILE #TOM-002, NOTICE OF INTENT, WETLANDS PROTECTION BYLAW, CONT.
PUBLIC HEARING - “ACORN PLACE”-ACORN OF MILLIS RESIDENTIAL, LLC**

The public hearing continuation was opened at 8:09 p.m. by Ms. Rich, Acting Chair.

Mr. Merrikin of Merrikin Engineering, representing the applicant, presented the application and plans. The proposed project is for construction of a senior residential community development (SRCD) at Acorn Street. The project consists of the construction of 48 new dwelling units for people 55 and older, along with associated driveways, parking areas, landscaping and utilities. The applicant intends to begin construction this fall with the intended completion by 2020.

Mr. Merrikin stated that the application is being filed under the Town of Millis Local Wetlands Protections Bylaw (Article XIX) only. A filing is not required under DEP’s Wetlands Protection Act, he said, therefore a DEP File number assignment is not needed.

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Mr. Merrikin stated that the proposed development abuts the Hickory Hills subdivision and the Isolated Vegetated Wetland (IVW) was approved as part of the Hickory Hills project. The proposed design “preserves a tremendous amount of Open Space,” he said. An undisturbed buffer of at least 50 feet is provided to the edge of the wetland areas in all locations, except for a single driveway crossing at the center of the site. There was discussion regarding the driveway being straight or slightly curved. The Commission was more in favor of the slightly curved driveway design. Mr. Merrikin will make the minor revision as requested to the plan.

On a motion made by Ms. Gavin, seconded by Mr. Tangerini, it was voted unanimously at 8:18 p.m. to continue the public hearing to Monday, October 1, 2018, 7:40 p.m.

**2 PADDOCK LANE – INFORMAL DISCUSSION
MICHAEL KAMBOURIS**

A letter was sent to Mr. Kambouris regarding unpermitted work being done on the property in close proximity to the wetlands. Mr. Kambouris attended the meeting as requested. He stated that he has a Koi pond on his property and a retaining wall on one side of it was “starting to sink.” An excavator was brought in, he said, and the wall was fixed. The retaining wall was lifted, the land beneath it was leveled, and it was set back down, he said. This was done to reinforce the foundation. He stated that he felt it was an “urgent” repair as the fish were in danger if the issue wasn’t rectified. According to Mr. Kambouris, “there was no permanent damage.” He apologized for not coming to the Commission before doing the work.

(Note: Mr. Kambouris has an outstanding Order of Conditions (DEP File#225-0336 issued in 2007). The Request for Certificate of Compliance paperwork was emailed to him on 9-11-18 for filing with the Commission).

**DEP FILE #CE225-0411 - 1525 MAIN STREET
POSSIBLE VIOLATIONS OF ORDER OF CONDITIONS**

A Cease & Desist letter to the applicant, Ms. Ellen Rosenfeld, dated August 7, 2018, was sent regarding some violations of the Order of Conditions noted on the property. Mr. Merrikin, representing the applicant, was in attendance. He stated that the signage has been installed. According to Mr. Merrikin, due to the dense brush, the owner cleared the site but did not grub or remove stumps to allow for the proper installation of the erosion controls. Mr. Chisholm visited the site with Mr. Merrikin on August 23, 2018, and it was confirmed that no clearing beyond what was approved had taken place. The erosion control system was also in place.

The Cease & Desist was lifted. A letter will be issued.

Other Business:

DEP File #CE225-0402 – 1280 Main Street Solar Project

The applicant contacted the Commission and requested a site visit as they are nearing the completion of the project. A site visit was scheduled for Tuesday, September 18, 2018, at 5:00

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p.m. (Note: Due to inclement weather, the site visit was rescheduled to Monday, September 24, 2018 at 5:00 p.m.)

Minutes

On a motion made by Mr. Lee, seconded by Mr. Tangerini, the minutes from August 6, 2018, were unanimously approved as written.

Scheduled Conservation Commission Meetings: October 1, 2018

There being no further business, on a motion made by Mr. Lee, seconded by Mr. Tangerini, and voted unanimously, the meeting adjourned at 9:05 p.m.

Respectfully submitted,

*Camille Standley
Administrative Assistant*