

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

The meeting was brought to order at 7:30 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Anne Rich, Vice Chair

Ed Chisholm, Christine Gavin, Daniel Lee, Charles Tangerini

Members Absent: Ram Charan Khalsa

Others present:

Erik Bowditch, 11 John St., Attleboro

Caroline Cabral, 11 John St., Attleboro

Thomas Roche, Roche's Building Co., 270 Exchange St.

Dan Merrikin, Merrikin Engineering, 730 Main St.

Jen Sieczkiewicz, 140 Causeway St.

Bob Matson, 333 Orchard St.

Anne Rich, 351 Orchard St.

Joyce Hastings, GLM Engineering

Robert Weiss, Energy Manager

**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 Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, Mr. Thomas Roche, summarized the project and presented a revised plan, dated October 9, 2018, last revised October 28, 2018. Mr. Merrikin stated that Mr. Roche did receive approval from the Board of Selectmen to install a low-pressure sewer main in Eden Street instead of constructing a septic system at the rear of the property as originally proposed. According to Mr. Merrikin, as a result of this approval, the buffer zone disturbance associated with the septic system can now be avoided. Additionally, it is proposed to fill 1,270 s.f. of wetlands and to replicate with 1,725 s.f. of new wetlands, resulting in increased wetland resource area on the site.

There was discussion regarding relocating of the proposed house on the lot and whether or not the existing lot is buildable. Mr. Merrikin stated that the property is an existing legal, buildable lot that was created prior to the adoption of the Town of Millis Wetlands Protection Bylaw. The site was pre-disturbed. Ms. Rich stated that she was not in favor of the proposal as the project construction is "in the buffer zone." Mr. Roche stated that he spent the past two and half years in a legal battle working towards the sewer extension approval. He said the "lot goes way back and this should not be an issue" at this late date with the time and money involved in this project.

Mr. Merrikin will revise the plan to show "spot elevations" within the wetland area. He will also provide research on the lot's creation.

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On a motion made by Mr. Chisholm, seconded by Ms. Rich, it was voted unanimously at 7:52 p.m. to continue the public hearing to Monday, January 7, 2018, 7:30 p.m.

**Jen Sieczkiewicz – 140 Causeway Street
Informal Discussion re: Farming**

Ms. Jen Sieczkiewicz of 140 Causeway Street requested to meet with the Commission to discuss tenants who wished to farm a portion of her property. Ms. Sieczkiewicz stated that Mr. Erik Bowditch and Ms. Caroline Cabral proposed using roughly two acres of her property on the upper slope of the open field across the street from the houses. They would like to grow different species of vegetables, herbs and flowers. No chemicals (pesticides, herbicides, etc.) would be used. This land was previously used for farming.

Commission member Charles Tangerini suggested they follow up with the State for any irrigation well-testing, etc. No buildings will be allowed without proper permitting. The Commission had no issue with this proposal.

**FILE #TOM-003, NOTICE OF INTENT, WETLANDS PROTECTION BYLAW,
PUBLIC HEARING – 29 PEARL STREET, ACORN OF MILLIS**

The public hearing was opened at 8:01 p.m. by Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, presented the application and plan. The filing is made under the local bylaw only, he stated. According to Mr. Merrikin, the existing site is part of the Hickory Hills subdivision located at the corner of Pearl Street and Debrah Lane. A narrow isolated vegetated wetland lies in the southern portion of the site. This IVW was delineated and approved as part of the Order of Conditions for the subdivision, Mr. Merrikin said. The proposed project consists of the construction of a single-family dwelling, along with associated driveways, utilities, and stormwater management systems. This work includes activities in the buffer zone associated with landscaping. An undisturbed buffer of at least 50 feet is provided to the edge of the wetland areas in all locations.

The Commission requested that the plan be revised to show the existing invert elevation of the existing drainage culvert.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 8:12 p.m. to close the public hearing.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously to approve an Order of Conditions (under the Town of Mills Wetlands Protection Bylaw only) for File #TOM-003, pending receipt of the revised plan. (Note: the revised plan (revised 12-11-2018) was received by Mr. Merrikin and the Order of Conditions was issued.)

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**DEP FILE#CE225-0419, NOTICE OF INTENT, PUBLIC HEARING
1, 5, 9 & 13 FRONTIER LANE, SOUTHEND FARM**

The public hearing was opened at 8:13 p.m. by Dr. Lederer, Chair. (Note: Ms. Rich was recused from this public hearing as she is a direct abutter.)

Mr. Merrikin, representing the applicant, Southend Farm LLC, presented the application and plans. The project proposed is for four single-family houses located at Frontier Lane within the previously approved Southend Farm residential subdivision. The proposed work for each lot includes a house, driveway, yard area, utility connections and a septic system. A small portion of the rear yard area lies within the outer riparian zone of Bogastow Brook for each of the lots, he said. The only work proposed within a jurisdictional area is a small amount of back yard area within the outer portion of the outer riparian zone. The development of these lots was included in the original plans and stormwater report for the subdivision.

On a motion made by Mr. Lee, seconded by Ms. Gavin, it was voted unanimously at 8:23 p.m. to close the public hearing.

On a motion made by Mr. Chisholm, seconded by Mr. Lee, it was voted unanimously to approve an Order of Conditions, with Special Conditions, for DEP File #CE225-0419 for #1, 5, 9, & 13 Frontier Lane.

**DEP File #CE225-0411 – 1525 Main Street
Medical Marijuana Dispensary - Construction Update
Daniel Merrikin**

Concerns had been raised about a “ditch” being made on the site and the overall condition of the site. Mr. Merrikin stated that he went to the site and walked the erosion controls. He said that a section of haybales/erosion controls were being added today or tomorrow. According to Mr. Merrikin, the replication area was dug out and is now holding water. Within the next two weeks, footings and foundation work should begin. Mr. Merrikin assured the Commission that he would be on site “about once a week” and would “keep on top of it.”

DEP FILE#CE225-0403, AMENDMENT TO ORDER OF CONDITIONS, PUBLIC HEARING, CONT. – 39 MAIN STREET - BEAU GRASSIA

The public hearing continuation was opened at 8:33 p.m. by Dr. Lederer, Chair.

Ms. Hastings, representing Mr. Grassia, discussed the plan. She stated that as the Commission is aware, Mr. Grassia built a retaining wall during construction which was not approved by the Commission. Ms. Hastings stated that the plan would be revised to add cross sections of elevations and sewer connections when they apply for the Certificate of Compliance.

Ms. Hastings stated that as part of the Amendment request, a proposed 13’ x 15’ shed construction in the rear of the property is shown on the plan. The Commission denied the shed

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construction as part of the Amendment request. Ms. Hastings stated that the shed construction is removed from the request.

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 8:53 p.m. to close the public hearing.

On a motion made by Dr. Lederer, seconded by Mr. Lee, it was voted unanimously to approve the Amended Order of Conditions, **minus the shed construction**, for DEP File #CE225-0403, 39 Main Street.

**DEP File# CE225-0400 84 Orchard Street
Regency at Glen Ellen Senior Residential Community Development
Minor Field Change Request – Tree Removal**

The Commission was in receipt of a letter from Mr. Ryan O'Rourke of Toll Brothers, Inc., dated December 3, 2018, wherein a minor field change for removal of one tree was requested. The tree in question is directly behind Lot #13, 26 Glen Ellen Boulevard. The Commission agreed it presented a safety concern for contractors and future residents.

On a motion made by Dr. Lederer, seconded by Mr. Tangerini, it was voted unanimously to approve the removal of the tree as shown on the plan sketch as a minor field change to the Order of Conditions.

**Climate Community Resilience Building Workshop Invitation
Municipal Vulnerability Preparedness (MVP)
Robert Weiss – Millis Energy Manager**

Mr. Robert Weiss, Millis Energy Manager, summarized the MVP Program and CORE Team created. He invited all members to a Community Resilience Building Workshop to be held on Tuesday, January 8, 2019, in the Millis Public Library from 9:00 am to 3:00 pm.

Other Business:

Pleasant Meadows/Verderber – Tree Work Report

A resident expressed concern over “tree felling” at Pleasant Meadows/Verderber that started in August. He wanted to know if the Commission had authorized any tree removal in the area. He said that an area was being “cleared” by someone with a chainsaw and that trees were being stacked in the area. Mr. Tangerini will look into it.

(Note: Mr. Tangerini walked the property on December 19, 2018. He observed “minor tree trimming of branches around where the house was.” A gentleman spends approximately one week each summer cleaning evasive brush growing on the property. No evidence of tree cutting was noted in the area.)

Minutes

On a motion made by Mr. Chisholm, seconded by Mr. Tangerini, the minutes from October 29, 2018, were unanimously approved as written.

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Scheduled Conservation Commission Meetings: January 7, 2019

There being no further business, on a motion made by Ms. Gavin, seconded by Mr. Tangerini, and voted unanimously, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

*Camille Standley
Administrative Assistant*