

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA
February 4, 2019**

The meeting was brought to order at 7:30 p.m. by Ms. Anne Rich, Vice Chair.

The following members were present:

Anne Rich, Vice Chair

Ed Chisholm, Christine Gavin, Daniel Lee

Marta Nover, (Nover-Armstrong) BETA Group

Members Absent: Dr. James Lederer, Ram Charan Khalsa, Charles Tangerini

Others present: Mark Robbins, 58 Walnut St.
Lisa Hardin, 56 Walnut St.
Brenda Collins, 54 Walnut St.
Dan Merrikin, Legacy Engineering, 730 Main St.
Austin Turner, Bohler Engineering, 352 Turnpike Rd., Southborough
Ryan O'Rourke, Toll Brothers, Inc.

**DEP FILE#CE225- , NOTICE OF INTENT, PUBLIC HEARING
0 WALNUT STREET – JANE HARDIN**

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

Mr. Merrikin, representing the applicant, presented the application and plan. The existing 2.5 acre site is undeveloped forest southwest of Walnut Street and is abutted by a water tower owned by the Town of Millis. The proposed project consists of the construction of a single family dwelling along with associated driveways, landscaping, and utilities. The proposed work includes activities in the buffer zone associated with the construction of the building and driveway. An undisturbed buffer of at least 50 feet is provided to the edge of the wetland areas in all locations, Mr. Merrikin said. An "old drainage ditch" on the property is the only wetland, he stated. A variance from the Zoning Board of Appeals was granted for a single-family lot.

According to Mr. Merrikin, the driveway is shared with the Town and they are working on documents with Town Counsel for access and utility easements, etc.

There was discussion regarding an alternative location for the proposed dwelling and/or septic system on the lot. Mr. Merrikin stated that in order to move the septic system, further soil perc testing will be required. Most of the proposed dwelling is within the 100-foot buffer zone. The Commission had some questions for Mr. James McKay of the DPW. He will be asked to attend the next hearing.

Mr. Merrikin will revise the plan to add the percentage of impervious area in the buffer zone to the plan. A DEP file number has not yet been assigned.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously at 8:04 p.m. to continue the public hearing to Monday, March 4, 2019, 7:30 p.m.

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**DEP FILE #CE225-0414 – 28 & 30 ACORN STREET
REQUEST FOR PARTIAL CERTIFICATE OF COMPLIANCE**

Mr. Merrikin, representing the applicant, Bane Realty Trust II, presented the Request for a Partial Certificate of Compliance for the house construction at 28 Acorn Street. Mr. Merrikin stated that this is needed before an Occupancy Permit from the Building Inspector can be issued. The landscaping is not yet done and he stated that he will be back in the spring for the complete Certificate of Compliance.

On a motion made by Ms. Gavin, seconded by Mr. Lee, it was voted unanimously to approve a Partial Certificate of Compliance for the house construction only at 28 Acorn Street, DEP File CE225-0414.

**DEP FILE #CE225-0400 – 84 ORCHARD STREET
GLEN ELLEN COUNTRY CLUB – REGENCY AT GLEN ELLEN
TOLL BROTHERS, INC. - PHASE II CONSTRUCTION AUTHORIZATION**

The Commission reviewed the letter from Edward Merchant of Toll Brothers, dated January 29, 2019, wherein a request to begin Phase II was made. Mr. Turner, representing the applicant, presented the request and Phasing Plan. He stated that the single-family units in Phase I have sold out and Toll Brothers would like to begin Phase II for the next area of development. He stated that Special Condition #44 of the Order of Conditions requires submittal of a partial as-built plan for Phase I prior to proceeding. Mr. Turner said that the area is “not ready for a record survey,” but it will be done. The Commission will still require the submittal of the as-built plan at a later date.

Ms. Nover, the Commission’s wetlands peer reviewer, stated that they, along with BETA Group, have been working with Bohler/Toll Brothers on the project. She stated that it would be reasonable for the Commission to allow Phase II-D to move forward, however, nothing is being “waived.” The applicant must still submit an as-built for Phase I when it is determined to be an effective check on their site design compliance. She also recommended that a revised SWPPP that specifically describes construction-related stormwater runoff management associated with Phase II-D be submitted for review and approval by the Commission.

Mr. Turner presented the steps of the construction process. The construction stormwater-related challenges experienced this past fall and winter were discussed. Mr. Chisholm stated that the applicant is to “make sure any runoff is controlled” or he will vote to shut the project down. He stressed that the applicant be aware of a potential shutdown. On-site construction activities must not further impact wetland resource areas or public safety.

The Commission voted to allow the work described as Phase II-D to proceed without complying with Special Condition #44 at this time. Once Phase I is substantially complete, Toll Bros will still need to submit a partial as-built to the Commission that is in full compliance with Special Condition #63. Before commencement of Phase II-D site activities, Toll Brothers must fully comply with stipulations as listed by the Commission (see letter dated February 11, 2019).

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Other Business:

Minutes

On a motion made by Mr. Lee, seconded by Ms. Gavin, the minutes from January 7, 2019, were unanimously approved as written.

Scheduled Conservation Commission Meetings: March 4, 2019

There being no further business, on a motion made by Mr. Chisholm, seconded by Mr. Lee, and voted unanimously, the meeting adjourned at 8:44 p.m.

Respectfully submitted,

*Camille Standley
Administrative Assistant*