

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
VIRTUAL/REMOTE MEETING VIA ZOOM PLATFORM**

May 11, 2020

The remote ZOOM meeting was brought to order at 7:33 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Anne Rich, Vice Chair

Christine Gavin, Ram Charan Khalsa, Carol Hayes

Camille Standley, Administrative Assistant

Members Absent: Ed Chisholm, Daniel Lee

Others present: James McKay, DPW
Emanuel DeAndrade, Simpson, Gumpertz & Heger
Sean Donlon, Simpson, Gumpertz & Heger
Scott Miccile, Toll Bros., Inc.
Austin Turner, Bohler Engineering
Matthew Ashley, Bohler Engineering
Michael & Kara Merski, 25 Bogastow Circle

**DEP FILE#CE225-0425, NOTICE OF INTENT, PUBLIC HEARING, CONT.
7 WATER STREET – DPW REDEVELOPMENT**

The public hearing was opened at 7:34 p.m. by Dr. Lederer, Chair.

Mr. DeAndrade, representing the Town of Millis DPW, summarized the application and plans. The applicant proposes to construct two new buildings, install drainage and other utility and site improvements, re-grade and pave portions of the site, and add several green space areas to the existing DPW location. The proposed work is located entirely within the footprint of the existing degraded area of the DPW facility, Mr. DeAndrade stated.

A site visit was conducted on, March 7, 2020. A DEP File number was also assigned. Mr. DeAndrade stated that they have addressed the comment made by DEP regarding water turbidity. The Operations & Maintenance Plan was also revised to include language requested by Mr. Lee. Mr. DeAndrade stated that minor revisions are being made to the plans and he expects to have them to the Commission in the next week. He summarized the minor revisions, which the Commission was in favor of.

A motion was made by Ms. Rich, seconded by Ms. Gavin, to close the public hearing at 7:58 p.m. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

On a motion made by Dr. Lederer, seconded by Ms. Rich, it was voted to issue an Order of Conditions, with Special Conditions, pending receipt of the revised plan set, for DEP File #CE225-0425, 7 Water Street. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

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**DEP FILE#CE225-0426, NOTICE OF INTENT, PUBLIC HEAR., CONT.
RIDGE STREET OPEN SPACE DEVELOPMENT (“EMERSON PLACE”)
T.D. DEVELOPMENT, LLC**

The public hearing continuation was opened at 7:59 p.m. by Ms. Rich, Vice Chair. (Dr. Lederer recused himself from the public hearing as he is a direct abutter to the proposed project.)

Mr. Merrikin, representing the applicant, submitted a letter, dated May 8, 2020, requesting a continuance, without discussion, to the next meeting. The letter stated that they are still in the process of addressing comments received during the hearing process.

On a motion made by Ms. Rich, seconded by Ms. Hayes, it was voted at 8:00 p.m. to continue the public hearing to Monday, June 8, 2020, 7:45 p.m. By Roll Call Vote: Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

**DEP FILE#CE225-0400, AMENDED ORDER OF CONDITIONS, PUBLIC HEARING
REGENCY AT GLEN ELLEN – TOLL BROTHER, INC.**

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

Mr. Turner, representing the applicant, presented the amendment request and plan. The applicant proposed a new underground electric service line to an existing irrigation pump and well system located within delineated bordering vegetated wetlands near the northern limits of the development. It is “really a maintenance issue,” he said. Mr. Turner stated this is a temporary alteration to install conduit for the trench. They will also be repairing the roof and re-siding the pump house.

Mr. Turner summarized their comment letter, dated May 7, 2020, which was in response to comments from BETA Group’s review (letter dated April 20, 2020). They made revisions as requested to the plan sheet, titled “Irrigation Well Electric Service Exhibit,” dated 3/17/2020, revised through 5/21/2020.

A motion was made by Ms. Rich, seconded by Ms. Hayes, to close the public hearing at 8:15 p.m. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

On a motion made by Ms. Rich, seconded by Mr. Khalsa, it was voted to issue an Amended Order of Conditions, with Special Conditions for DEP File#CE225-0400, Regency at Glen Ellen. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

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**DEP FILE#CE225-0427, ABBREVIATED NOTICE OF INTENT, PUBLIC HEARING
25 BOGASTOW CIRCLE - MERSKI**

The public hearing was opened at 8:16 p.m. by Dr. Lederer, Chair.

Mr. Merski presented the application and sketch for proposed tree removal. The Commission had previously conducted a site visit back in 2018 where he was told to submit an NOI when he was ready to have the work done. Mr. Merski described the three trees to be removed; some are diseased and/or dead and would cause property damage if they were to fall on the home.

Mr. Merski was instructed to flush cut and leave the stumps in place – no “stump grinding.”

A motion was made by Ms. Rich, seconded by Ms. Gavin, to close the public hearing at 8:25 p.m. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

On a motion made by Ms. Rich, seconded by Ms. Gavin, it was voted to issue an Order of Conditions, with Special Conditions for DEP File #CE225-0427, 25 Bogastow Circle. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

Other Business:

DEP File #225-199 – 9 Ryan Road

Ratify Certificate of Compliance/Waive Special Condition re: Permanent Markers

A motion was made by Dr. Lederer, seconded by Ms. Rich, to waive Special Condition #21 regarding permanent markers for DEP File #CE225-199, 9 Ryan Road. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

A motion was made by Dr. Lederer, seconded by Ms. Rich, to ratify the Certificate of Compliance issued April 14, 2020, for DEP File #CE225-199, 9 Ryan Road. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

Tresca Brothers – Stockpile

A stockpile of material at Tresca Brothers was observed which appeared to be in close proximity to the wetlands. Mr. Tresca will be contacted. (Note: Mr. Tresca was emailed and contacted the Commission. An email from Beth Fitzpatrick of RPS Group, dated May 27, 2020, and a report from RPS was provided. According to Ms. Fitzpatrick, she conducted a site visit of the facility on May 21, 2020, and the “berm was constructed in accordance with the agreement with MassDEP and appears to be functioning as intended.”

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266 Orchard Street – Clearing

The Commission received a message that there may be clearing taking place that is within the buffer zone to wetlands. A letter will be sent requesting the owner attend the next meeting on June 8, 2020.

DEP File #225-0403 – 39 Main Street; King St. Café

Cease & Desist - Beau Grassia

The Commission is still waiting on the revised plan requested. The Commission conducted a site visit on Saturday, April 16, 2020. Mr. Grassia is scheduled to attend the June 8, 2020 meeting to discuss/present the revised plan. (Note: plan entitled, “Grading As-Built Plan,” dated 5/28/20, submitted by Joyce Hastings via email June 1, 2020.)

Minutes

A motion was made by Ms. Rich, seconded by Ms. Hayes, to approve, as written, the ZOOM minutes from April 6, 2020. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

Scheduled Conservation Commission Meetings: June 8, 2020

There being no further business, a motion was made by Dr. Lederer, seconded by Mr. Khalsa, to adjourn the remote meeting at 9:00 p.m. By Roll Call Vote: Lederer – aye; Rich – aye; Gavin – aye; Khalsa – aye; Hayes – aye. The motion passed unanimously.

Respectfully submitted,

*Camille Standley,
Administrative Assistant*