

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

January 4, 2021

The remote ZOOM meeting was brought to order at 7:00 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Carol Hayes, Vice Chair

Ed Chisholm, Christine Gavin, John Steadman, Scott McPhee

Julia Stearns, BETA Group, Inc.

Laura Krause, BETA Group, Inc.

Camille Standley, Administrative Assistant

Members Absent:

Others present: Daniel Merrikin, Legacy Engineering
 Drew Haughton, Legacy Engineering
 Nicole Hayes, Goddard Consulting
 Ted Merchant, Toll Bros., Inc.
 Nicole & Pablo Velez, 23 Spencer St.

**DEP FILE#CE225-0429, ABBREV. NOTICE OF RESOURCE AREA DELINEATION
PUBLIC HEARING, CONT.**

12 EVERGREEN TERRACE – SOUTHEND FARM LLC

The public hearing continuation was opened at 7:00 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, presented the revised ANRAD plans, last revised December 11, 2020. He stated that they are not delineating Riverfront Area, Banks, or Bordering Land Subject to Flooding. When a Notice of Intent is filed, other areas may be delineated in those locations, Mr. Merrikin said. As requested by BETA, the topographic contour lines were darkened and a note was added to sheet C-1 regarding the topographical data.

Ms. Stearns of BETA, Group stated that they reviewed the revised plans and agree with the revisions made.

On a motion made by Mr. Steadman, seconded by Ms. Gavin, it was voted at 7:10 p.m. to close the public hearing. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

On a motion made by Mr. Steadman, seconded by Ms. Gavin, it was voted to approve an Order of Resource Area Delineation for DEP File #CE225-0429, 12 Evergreen Terrace/Southend Farm II. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

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January 4, 2021

**DEP FILE#CE225-0430, NOTICE OF INTENT, PUBLIC HEARING, CONT.
23 SPENCER STREET – JANE HARDIN**

The public hearing continuation was opened at 7:15 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, presented the application and plan. The proposed project is for re-grading of the yard and relocation of an existing shed. According to Mr. Merrikin, there will be 6” to 12” of fill in the rear yard to level it, which will be an “improvement over existing conditions.” DEP has since issued a file number and they had no comments, Mr. Merrikin stated.

On a motion made by Mr. Steadman, seconded by Ms. Gavin, it was voted at 7:18 p.m. to close the public hearing. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

On a motion made by Mr. Steadman, seconded by Mr. McPhee, it was voted to approve an Order of Conditions, with Special Conditions, for DEP File #CE225-0430, 23 Spencer Street. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

**DEP FILE #TOM-003 – 29 PEARL STREET
MINOR MODIFICATION DISCUSSION**

Mr. Merrikin, representing the applicant, stated that there is an open Order of Conditions issued under the local bylaw only, for this property in the Hickory Hills subdivision. The original construction is complete; however, the new homeowner would like to expand the yard along Debrah Lane in the outer fifty-foot buffer zone only. No work will occur in the inner fifty-foot buffer.

After review of the plan, the Commission requested that the site plan be revised to show four (4) granite markers along the limit of work; and a notation that the expected average depth of fill is twelve (12) inches.

On a motion made by Ms. Gavin, seconded by Ms. Hayes, it was voted to approve the minor modification request, pending receipt of revised plan, for File #TOM-003, 29 Pearl Street. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously. (Note: As requested, the revised site plan was provided. The approved plan is entitled, “29 Pearl Street Site Plan Modification Plan of Land in Millis, MA,” dated December 30, 2020, Revised January 5, 2021, prepared by Legacy Engineering.)

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**DEP FILE#CE225-0400 – ORCHARD STREET – REGENCY AT GLEN ELLEN
TOLL BROS., INC.**

(1) Phase III A – Ratify Administrative Approval for Removal of temporary sheeting along retaining wall:

Mr. Merchant from Toll Brothers updated the Commission on the removal of metal sheeting. This portion of the project required the installation of metal sheeting on both the west and east side of the northernmost amphibian crossing under Plimpton Farm Road due to the proximity of the proposed limits of work to the adjacent wetland boundary. Toll Brothers had expressed concern with constructing the portions of the retaining walls adjacent to this sheeting as they felt that the removal of the sheeting following construction could jeopardize the anticipated settling and structural integrity of the walls.

BETA conducted a site visit and recommended approval of removal of the sheeting.

On a motion made by Dr. Lederer, seconded by Ms. Hayes, it was voted to administratively approve the prior removal of the sheeting as discussed. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; McPhee - aye. Mr. Steadman was recused. The motion passed unanimously.

(2) Phase III B Approval Discussion:

Mr. Merchant stated that they would like to “accelerate the process” to start Phase III B now. He would like to schedule a pre-construction meeting within the next week or two. Mr. Merchant stated that they have also received comments from the Planning Board regarding limiting tree clearing and land disturbance.

Ms. Krause from BETA summarized her memo, dated December 31, 2020, regarding some items required by Toll Brothers beforehand.

On a motion made by Ms. Hayes, seconded by Ms. Gavin, it was voted to authorize the commencement of work in Phase III-B subject to the completion of a pre-construction meeting and installation of erosion control measures per the approved documents and plans presented. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; McPhee - aye. Mr. Steadman was recused. The motion passed unanimously. (Note: a pre-construction meeting was held on January 11, 2021 and commencement could begin subject to conditions as stated in a letter from the Commission, dated January 19, 2021.)

(3) Final Signage Discussion

Mr. Merchant requested that the wording on the signage for the Open Space be finalized so the sign can be printed. Mr. Steadman provided his suggestions for language. Mr. Merchant will work with Mr. Steadman on this issue.

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OTHER BUSINESS:

**DEP FILE #225-13 & 225-23 – 10 PLEASANT STREET
CERTIFICATE OF COMPLIANCE REQUESTS
LORAN REALTY, LLC**

The Commission was in receipt of two Requests for Certificate of Compliance for 10 Pleasant Street by Dr. Randy Weiner, Loran Realty, LLC. There were two old Orders of Conditions issued for the property before the building was constructed which were never properly released.

On a motion made by Dr. Lederer, seconded by Ms. Gavin, it was voted to issue a Certificate of Compliance for DEP File #225-13 for 10 Pleasant Street. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee – aye. The motion passed unanimously.

On a motion made by Dr. Lederer, seconded by Ms. Gavin, it was voted to issue a Certificate of Compliance for DEP File #225-23 for 10 Pleasant Street. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee – aye. The motion passed unanimously.

CONCOM PROPERTIES SITE VISITS-MAINTENANCE/SIGNAGE

Dr. Lederer is scheduled to meet with the Select Board on January 11, 2021, to discuss funding for the tree removal on the Pleasant Street structure.

The Commission will work on developing a plan for the maintenance of the Conservation Commission properties.

MEMBERSHIP

Commission member, Daniel Lee, resigned from the Commission, effective December 31, 2020.

MINUTES

A motion was made by Mr. Steadman, seconded by Ms. Hayes, to approve the ZOOM regular session minutes from December 7, 2020 as written. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman - aye. The motion passed unanimously.

FY22 CONCOM BUDGET

A motion was made by Dr. Lederer, seconded by Ms. Hayes, to approve the FY22 Conservation Commission budget. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee – aye. The motion passed unanimously.

Scheduled Conservation Commission Meetings: February 1, 2021
March 1, 2021

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EXECUTIVE SESSION

A motion was made by Dr. Lederer, seconded by Ms. Gavin, at 8:24 p.m. to enter Executive Session and to reconvene in regular session, only to adjourn, to consider the purchase, exchange, lease, or value of real estate, as the Chair declares that an open meeting will have a detrimental effect on the negotiating position of the public body. By Roll Call Vote: Lederer – aye; Chisholm – aye; Gavin – aye; Hayes – aye; Steadman – aye; McPhee - aye. The motion passed unanimously.

Respectfully submitted,

*Camille Standley,
Administrative Assistant*