

**MILLIS CONSERVATION COMMISSION  
MEETING MINUTES  
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA  
May 21, 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, Ram Charan Khalsa, Charles Tangerini

Members Absent:

Others present:

Dan Merrikin, Merrikin Engineering, 730 Main St.

Beau Grassia, 39 Main St.

James McKay, DPW

Kevin Curry, 252 Pleasant St.

Devlan Curry, 252 Pleasant St.

Peter & Beverly Temple, 245 Ridge St.

James Merski, 25 Bogastow Circle

**DEP FILE # CE225-0414, NOTICE OF INTENT, PUBLIC HEARING, CONT.  
LOTS 5 & 6A/22 ACORN STREET – BANE REALTY TRUST II**

The public hearing continuation was opened at 7:30 p.m. by Dr. Lederer, Chair.

Mr. Dan Merrikin, representing the applicant, presented the revised plan (revised April 3, 2018). The plan shows proposed plantings/landscape notes as requested. Placement of bounds was discussed. The Commission will require permanent markers, four-foot concrete or granite bound posts, with at least 18” above ground, be placed as shown on the plans to demarcate the “limit of landscape” or “do not disturb/do not cut/ do not mow” zone.

There were no further questions.

On a motion made by Mr. Lee, seconded by Ms. Gavin, it was voted unanimously at 7:39 p.m. to close the public hearing.

On a motion made by Mr. Lee, seconded by Ms. Gavin, an Order of Conditions, with Special Conditions, was unanimously approved for DEP File#CE225-0414, Lots 5 & 6A/22 Acorn Street.

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

The public hearing continuation was opened at 7:40 p.m. by Dr. Lederer, Chair.

Mr. Roche, via email dated May 4, 2018, requested a continuance to July as he is “getting closer” on resolving legal issues.

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

**May 21, 2018**

On a motion made by Ms. Rich, seconded by Mr. Lee, it was voted unanimously at 7:41 p.m. to continue the public hearing to Monday, July 9, 2018, 7:30 p.m.

**Informal Discussion Re: Tree Removal  
James Merski – 25 Bogastow Circle**

Mr. Merski met with the Commission to discuss removal of some trees from his property within the buffer zone and the process for approval/permission. He stated he would like to remove three trees. The pine trees “are killing the grass,” he said, and one tall white pine is damaged and in danger of falling and potentially damaging the house and electrical wires. Mr. Merski stated that there are also “scrub pines” close to the wetlands that he would like to remove.

The Commission was in agreement that a Notice of Intent would need to be filed. A site visit was scheduled for Wednesday, May 30, 2018, at 7:00 pm for the Commission to look at the proposed trees to be removed. (Note: A site visit was conducted and it was requested that Mr. Merski file an Abbreviated Notice of Intent for the tree removal.)

**Informal Discussion Re: DPW – Water Street Garage  
Proposed Construction - James McKay**

Mr. McKay updated the Commission on a proposal for the Town of Mills DPW to renovate the DPW garage. The work would include adding two structures to the Water Street facility: the first will contain a truck wash and a mechanic bay; the second will be a staff wing. Mr. McKay discussed the self-contained wash bay system to be used.

According to Mr. McKay, they are hoping to get funding for the project at the November Town Meeting. He stated that the project is only in the initial stages of development and he will come back to the Commission when the plans are more finalized to determine if a formal filing will be necessary.

**DEP File#CE225-0403 – 39 Main Street - King St. Café on the Charles  
Beau Grassia - Violation of Order of Conditions (Stone Wall Construction)**

Mr. Grassia was asked to attend the meeting as it was observed that a large stone retaining wall was being built on the property. An Order of Conditions was issued on March 22, 2017, for demolition of an existing deck to construct an addition. There was no approval given for a stone retaining wall. Mr. Grassia stated that there was “an old, wooden railroad tie” retaining wall in the rear side yard that he removed and replaced with a stone wall being constructed through the property. He stated that there was also some fill removed. Mr. Grassia said that he was not aware he was not allowed to construct the wall without permission. It was explained to Mr. Grassia that only the work shown on his approved plan with the Order of Conditions is permitted – anything else is a violation.

The Commission was in receipt of a letter from Joyce Hastings of GLM Engineering, dated May 21, 2018. The letter stated, “There has been a minor site change for the proposed project. The applicant has removed an old wooden retaining wall in the rear side yard, removed a volume of fill and constructed a new stone retaining wall closer to the building.” The letter

**MILLIS CONSERVATION COMMISSION  
MEETING MINUTES  
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA  
May 21, 2018**

further stated that a final as-built plan would reflect the changes and was currently being prepared.

Dr. Lederer explained that Mr. Grassia will be required to file an Amended Order of Conditions with the Commission.

**Cease & Desist Letter – 0 Turner Street (Shed Construction)**

**Kevin Curry**

Mr. Curry had been sent a Cease & Desist letter (dated April 17, 2018) for unauthorized construction of a shed in the riverfront area. According to Mr. Curry, he was building a “honey house” to keep all of his beehive equipment and supplies dry; however, he did state it got “bigger” than he had initially intended.

Commission member, Mr. Chisholm, stated he went out to the property and there is also a bridge over the wetlands to get to the shed. He stated that everything has to be 200-feet off/away from the river. Mr. Chisholm said that the bridge should not have been built either. The property is located in the Charles River floodplain.

Mr. Curry was told that he would have to either take everything down, or have a complete survey done, including elevations, and file a Notice of Intent with the Commission. It was advised that Mr. Curry contact DEP directly for further information/guidance if he wished to pursue a Notice of Intent, or take the structures down. Mr. Curry stated he was leaning towards “taking everything down.”

**DEP FILE#CE225-\_\_\_\_, NOTICE OF INTENT, PUBLIC HEARING  
326 ORCHARD STREET – PETER TEMPLE**

The public hearing was opened at 8:39 p.m. by Dr. Lederer, Chair.  
(Note: Ms. Rich was recused from this public hearing)

Mr. Merrikin, representing the applicant, presented the application and plans. The proposed project is for construction of a driveway for a future single-family residential dwelling at 326 Orchard Street. Mr. Merrikin stated that there is a Conservation Restriction on the property to allow one house. Bogastow Brook wraps around half the site directly to the south and west. There are a variety of Resource Areas associated with Bogastow Brook, which have been identified by Applied Ecological Sciences in their “Site Evaluation & Wetland Delineation” report. The proposed work lies entirely within upland areas and will not impact surrounding wetland areas, he said. The proposed house pad is outside resource areas and buffer zones.

The Commission reviewed the plan. Mr. Chisholm requested horizontal layout of the driveway be provided on the plan and put in riprap or concrete spillway/headwall to prevent growth for maintenance.

As there were revisions to the plan requested and no DEP File Number issued by DEP, the hearing will be continued.

