



TOWN OF MILLIS

900 MAIN STREET
MILLIS, MASSACHUSETTS 02054

DECISION OF THE PLANNING BOARD OF THE TOWN OF MILLIS MASSACHUSETTS

Decision on Application No. 55-011
Filed: 3/16/07

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

Application: Petition for a Special Permit pursuant to M.G. L., Chapter 40A, Section 9 and the Zoning Bylaw of the Town of Millis, Section XVII, to allow the construction of a Senior Residential Community Development located on the site described below.

Location: 84 Orchard Street, Assessors Map 1, Parcels 1, 2, 3, 4, 3B, Map 5, Parcel 35.

Applicant/Owner: Joseph J. Corcoran, President, Bogastow Company, Inc. and Glen Ellen Company, Inc, 150 Mount Vernon St., Suite 500, Boston, MA 02125

PUBLIC HEARING

Pursuant to General Laws, Chapter 40A, Sections 9 and 11 and the Zoning Bylaws of the Town of Millis, Section XVII, notice of the public hearing to be held on May 8, 2007 at the Veterans Memorial Building at 7:45 p.m. was published in the Milford Daily News, on April 10, 2007 and April 17, 2007. Notice of the said hearing was also posted in a conspicuous place in the Town Hall, and was mailed to all parties-in-interest. A list of the abutters is on file in the Town Clerk's office, 900 Main Street, Millis, Massachusetts. The hearing was commenced on May 8, 2007, at which time it was continued without discussion at the Applicant's request to June 12, 2007, and then continued by Board to July 24, 2007. On August 21, 2007, September 18, 2007, and October 2, 2007, the hearing was continued without discussion at the request of the Applicant, and resumed again on November 6, 2007, to be continued to November 13, 2007 and December 11, 2007, at which time it was concluded.

Prior to the hearing the Board had requested written reports concerning the application from the Board of Health, the Town Engineer, the Police and Fire Departments. These reports were in the possession of the Board at the time of the hearing. The following Town officials were present at the hearing:

Sitting on the Planning Board and present at the hearing were Chairman Catherine C. MacInnes, Donald Hendon, Edward MacAskill, George Yered, Robert Cantoreggi, James McKay and John Howard. Board Member Donald Hendon was elected to the Millis Board of Selectmen in May 2007. As a result, Mr. Hendon did not attend all of the public hearings and

did not vote on this application. Barbara J. Thissell, P.E. of Barbara J. Thissell, P.E., Inc., Woodard & Curran, and Vanasse Hangen Brustlin, Inc. ("VHB") served as consulting engineers to the Planning Board for the application.

The Applicant was represented by Peter T. Silbermann, P.E., Earth Tech, Inc., together with Attorney John A. Mostyn.

SUBMISSIONS TO THE BOARD

- Plans entitled, "Preliminary Plan for Glen Ellen Country Club, Millis, Massachusetts" by Earth Tech, Inc. sheets 1 through 9 of 9, dated February, 2007
- Document (binder) entitled, "Application Report, Senior Residential Community, Glen Ellen Country Club, Millis, Massachusetts", submitted to Millis Planning Board, by Earth Tech, dated March 2007
- Correspondence to the Millis Planning Board from John A Mostyn, Corcoran Jennison Companies, dated March 7, 2007
- Documents entitled, "Master Deed of Residences at Glen Ellen Country Club," and "Declaration of Trust, The Residences at Glen Ellen Country Club," dated "Draft 03/15/07"
- Document entitled, "Conceptual - ANR Lot Layout Plan, Glen Ellen Country Club," dated draft 03/29/07
- Correspondence to Millis Planning Board from Barbara J. Thissell, PE., Inc., dated May 3, 2007
- Plans entitled, "Preliminary Plan for Glen Ellen Country Club, Millis, Massachusetts" by Earth Tech, Inc. sheets 1 through 14 of 14, dated February, 2007 revised June 5, 2007
- Plans entitled, "Glen Ellen Country Club, Preliminary Plan, Roadway Layout, Millis, Massachusetts" by Earth Tech, Inc. sheets 15 through 19 of 19, dated June 28, 2007
- Plans entitled, "Glen Ellen Country Club, Preliminary Plan, Single Unit Right Turning Movements, Millis, Massachusetts" by Earth Tech, Inc. sheets 16 through 19 of 19, dated July 16, 2007
- Plans entitled, "Glen Ellen Country Club, Preliminary Plan, Single Unit Left Turning Movements, Millis, Massachusetts" by Earth Tech, Inc. sheets 16 through 19 of 19, dated July 16, 2007
- Plans entitled, "Glen Ellen Country Club, Preliminary Plan, Fire Truck Right Turning Movements, Millis, Massachusetts" by Earth Tech, Inc. sheets 16 through 19 of 19, dated July 16, 2007
- Plans entitled, "Glen Ellen Country Club, Preliminary Plan, Fire Truck Left Turning Movements, Millis, Massachusetts" by Earth Tech, Inc. sheets 16 through 19 of 19, dated July 16, 2007
- Document entitled, "Glen Ellen Senior Housing, Supplemental Drainage Information - August 14, 2007", by Earth Tech
- Document entitled, "Glen Ellen Country Club, Senior Residential Housing, Level of Design- Planning Board", dated July 6, 2007
- Document entitled, "Glen Ellen Country Club, Special Permit-Waiver Request List (Based on Project Submittal Dated 6-5-07)"

- Correspondence to Barbara J. Thissell, PE, Inc., from Peter Silbermann, PE, of Earth Tech, dated June 5, 2007
- Memorandum to Peter Silbermann, PE, from Jeff Maxtutis, AICP, of Earth Tech, dated June 4, 2007
- Correspondence to Millis Planning Board from Barbara J. Thissell, PE, Inc., dated August 21, 2007
- Correspondence to Millis Planning Board from Bob Graci, dated July 31, 2007
- Correspondence to Millis Planning Board from Abutters from Willow Gate Rise and Foxwood Cove, Holliston, dated received July 24, 2007
- Memorandum to Barbara Thissell, PE, from Bob Chapell and Chris Kilbridge of Woodard & Curran, dated July 24, 2007
- Memorandum to Barbara Thissell, PE, from Ana Fill, PE, and Patrick Dunford, PE, of Vanasse Hangen Brustlin, Inc., dated July 10, 2007 (Traffic Study Peer Review)
- Correspondence to Millis Planning Board from Warren Champagne, Millis Fire Chief, dated July 24, 2007
- Email memorandum to the Millis Planning Board from Charles Aspinwall, Town Administrator, dated July 24, 2007 re: Orchard St. water main installation
- Correspondence to Barbara J. Thissell, PE, Inc., from Peter Silbermann, PE, of Earth Tech, dated September 25, 2007 with attachments (response to Woodard & Curran Comment Memo dated August 17, 2007)
- Memo to Barbara J. Thissell, PE, from Jeffrey Maxtutis, AICP, of Earth Tech, dated September 24, 2007 with attachments (response to VHB comments of July 10, 2007)
- Letter to Barbara J. Thissell, P.E., Inc. from Earth Tech dated October 9, 2007 (response to August 21, 2007 comment letter from Barbara J. Thissell, P.E., Inc.) with attachments
- Document entitled, "Supplemental Submittal Senior Residential Community, Glen Ellen Country Club, Millis, Massachusetts" by Earth Tech dated October 15, 2007, including:
 - Letter to Millis Planning Board from Earth Tech dated October 15, 2007
 - Memo to Barbara J Thissell, P.E., Inc. from Earth Tech dated September 24, 2007 (response to July 10, 2007 comment letter from VHB) with appendix
 - Letter to Barbara J. Thissell, P.E., Inc. from Earth Tech dated September 25, 2007 (response to August 17, 2007 Woodard & Curran Comment Memo) with enclosures:
 - Figure entitled, "Septic System Locus Plan, Glen Ellen Country Club, Millis, Massachusetts, by Earth Tech, undated
 - Letter to Corcoran Jennison Hospitality LLC from H.W. Moore Associates, Inc, dated October 26, 2004. (septic system inspection)
 - Letter to Barbara J. Thissell, P.E., Inc. from Earth Tech dated October 9, 2007 (response to August 21, 2007 comment letter from Barbara J. Thissell, P.E., Inc.) with attachments:
 - Excerpt from "A Policy on Geometric Design of Highways and Streets, 2004 by the American Association of State Highway and Transportation Officials"
 - Revised Waiver Request List, revised 10/9/07

- Revised Level of Design Table, revised 9/27/07
- Revised Drainage Calculations and Details, revised September 27, 2007
- Layout & Zoning plan –Red Mill Village, Norton, MA
- Revised Condominium Documents
- Letter to Millis Planning Board from Corcoran Jennison Companies dated March 7, 2007 with enclosure
 - Draft “Conceptual ANR Lot Layout Plan, Glen Ellen Country Club” by Earth Tech, drafted March 29, 2007.
- Plans entitled, “Preliminary Plan for Glen Ellen Country Club, Millis, Massachusetts” by Earth Tech, Inc. sheets 1 through 16 of 16, dated February, 2007, revised October 15, 2007 (consisting of 23 sheets).
- Plans entitled, “Roadway Waiver Request Plan for Glen Ellen Country Club, Millis, Massachusetts” by Earth Tech, Inc. sheets 1 through 5 of 5, dated October 10, 2007
- Plans entitled, “Glen Ellen Country Club, Preliminary Plan, Fire Truck Right Turning Movements, Millis, Massachusetts” by Earth Tech, Inc. sheets TM-1 through TM-4, dated September 25, 2007
- Plans entitled, “Glen Ellen Country Club, Preliminary Plan, Fire Truck Left Turning Movements, Millis, Massachusetts” by Earth Tech, Inc. sheets TM-5 through TM-8, dated September 25, 2007
- Plans entitled, “Glen Ellen Country Club, Preliminary Plan, Single Unit Right Turning Movements, Millis, Massachusetts” by Earth Tech, Inc. sheets TM-9 through TM-12 dated September 28, 2007
- Plans entitled, “Glen Ellen Country Club, Preliminary Plan, Single Unit Left Turning Movements, Millis, Massachusetts” by Earth Tech, Inc. TM-13 through TM-16, dated September 28, 2007
- Correspondence to Millis Planning Board from Barbara J. Thissell, PE, Inc., dated November 2, 2007
- Memorandum to Barbara Thissell, PE, from Ana Fill, PE, and Patrick Dunford, PE, of Vanasse Hangen Brustlin, Inc., dated November 1, 2007 (Traffic Study – Review of Response to Comments)
- Memorandum to Barbara Thissell, PE, from Bob Chapell and Chris Kilbridge of Woodard & Curran, dated November 5, 2007
- Correspondence to John Mostyn, Esq. from Vicki S. Marsh of Kopelman & Paige, PC, dated November 2, 2007
- Document entitled, “Master Deed of Residences at Glen Ellen Country Club,” dated “Draft 10/5/07”
- Document entitled, “Declaration of Trust, The Residences at Glen Ellen Country Club Condominium Trust,” dated “Draft 10/5/07”
- Correspondence to Millis Planning Board from John A. Mostyn, dated November 6, 2007 (response to 7/24/07 Millis Fire Dept. Letter)
- Correspondence to Millis Planning Board from Michael R. Cassidy, Fire Chief/Emergency Management Director, Holliston Fire Dept., dated November 6, 2007
- Correspondence to Millis Planning Board from James R. & Mindy Murray, dated November 8, 2007

- Correspondence to Millis Planning Board from James & Susan Jubb, dated November 9, 2007
- Correspondence to Millis Planning Board from Jim Hurley, dated November 7, 2007
- Correspondence to Millis Planning Board from Robert Graci, dated November 8, 2007
- Correspondence to Millis Planning Board from Richard Nichols, dated November 9, 2007
- Correspondence to Millis Planning Board from Joan Swinimer, dated November 8, 2007
- Correspondence to Millis Planning Board from James & Catherine Harper, dated November 8, 2007
- Email to Millis Planning Board (Ms. Standley) from Martha Worthington, dated November 11, 2007
- Letter to Barbara J. Thissell, P.E., Inc. from Earth Tech dated November 12, 2007 (response to 11/1/07 VHB Technical Memorandum)
- Letter to Barbara J. Thissell, P.E., Inc. from Earth Tech dated November 12, 2007 (response to 11/2/07 Comment Letter)
- Letter to Barbara J. Thissell, P.E., Inc. from Earth Tech dated November 12, 2007 (response to 11/5/07 W&C Technical Memorandum)
- Report entitled, "FHWA On-Road Study Report Appendices, Appendix A: Rational for Selection of Intersection Types for inclusion in On-Road Study," emailed by Jim Murray
- Correspondence to Barbara J. Thissell, P.E., Inc. from Earth Tech dated November 13, 2007 response to 11/6/07 Holliston Fire Dept. Letter with enclosure
- Memorandum to Peter Silbermann of Earth Tech from Jeff Maxtutis, dated November 13, 2007 (re: Event Traffic, Orchard St. & Goulding/Norfolk Intersection)
- Correspondence to Millis Planning Board from Holliston Board of Selectmen, dated November 13, 2007
- Correspondence to Millis Planning Board from Holliston Planning Board, dated November 13, 2007, with attachments
- Correspondence to Millis Planning Board from Susan and Michael Carr, with attachment, dated November 12, 2007
- Correspondence to Millis Planning Board from Warren Champagne, Millis Fire Chief, dated November 30, 2007
- Correspondence to Millis Planning Board from Earth Tech dated December 4, 2007 (response to Millis Fire Chief 11/30/07 Comment Letter)
- Correspondence to Millis Planning Board from Earth Tech dated December 4, 2007 (response to J. Swinimer 11/8/07 Comment Letter)
- Correspondence to Millis Planning Board from Earth Tech dated December 3, 2007 (response to Holliston Planning Board 11/13/07 Comment Letter)
- Correspondence to Millis Planning Board from Earth Tech dated December 3, 2007 (response to Holliston Board of Selectmen 11/13/07 Comment Letter)
- Memorandum to Peter Silbermann of Earth Tech from Jeff Maxtutis, dated November 21, 2007 (re: Traffic Volumes on Orchard St. West & Goulding St.)
- Correspondence to Millis Planning Board from Damian Dupuy, dated November 8, 2007
- Correspondence to Millis Planning Board from Earth Tech, dated December 11, 2007 (response to Dupuy 11/18/07 Comment Letter)

- Correspondence to Millis Fire Chief, Warren Champagne, from Holliston Fire Chief, Michael Cassidy, dated November 30, 2007
- Document entitled, "Glen Ellen Country Club, Special Permit – Waiver Request List (Revised 12-11-07)"
- Plan entitled, "Glen Ellen Country Club, Roadway Waiver Request Plan, Millis, Massachusetts," (sheet 15 of 23) dated October 10, 2007, last revised December 11, 2007
- Correspondence to Millis Planning Board from Chris Donovan, dated December 11, 2008 (should be 2007)
- Correspondence to Millis Planning Board from Barry Schneier, dated December 11, 2007
- Correspondence to Millis Planning Board from Justin Termini, dated December 11, 2007
- Correspondence to Millis Planning Board from Tara Termini, dated December 11, 2007
- Document entitled, "Millis, Massachusetts, Fire & EMS Staffing and Organization Study, dated October 2007," by MMA Consulting Group, Inc. (specifically Map 5, provided by Charles Aspinwall)

DEVELOPMENT SUMMARY

The proposal submitted by the Applicant, Joseph J. Corcoran, President, Bogastow Company, Inc. and Glen Ellen Company, Inc (collectively referred to hereafter as "Applicant") may be summarized as follows: The Applicant proposes the development and construction of an approximately 230.75 acre senior residential community (the "Development") at Glen Ellen Country Club ("GECC") on Orchard Street, pursuant to Section XVII of the Town of Millis Zoning Bylaw. GECC is currently in use as a privately owned club consisting of an eighteen-hole golf course, tennis courts, swimming pools, playing fields, and function facilities accommodating up to 2,500 people. Under its present use, patrons visit GECC to play golf, use the pool facilities, and hold private functions. The function facilities include the function rooms, a snack bar, rest rooms, lockers, and outdoor deck. GECC lies on approximately 143.5 acres. Bogastow Company, Inc. owns an adjacent undeveloped wooded approximately 80-acre site. Approximately 7.4 acres of the proposed site lies within the Town of Holliston and is part of the existing golf course.

The Applicant proposes 341 age-restricted residential units, including detached homes and attached two and three bedroom townhouse units, leaving 145 acres of total open space, including wetlands and floodplain areas. Nine holes of the existing golf course would remain. The Applicant proposes that the Development would include existing and enhanced recreational and limited function facilities, including a 20,000 square foot wellness center with fitness and physical therapy as well as walking trails and a 9,000 square foot golf clubhouse with a pro shop and grill room.

The Development would be served by public water and a private wastewater management treatment system. Orchard Street is designated as a scenic road and is protected with respect to potential widening and tree clearance.

The land surrounding the Development site is zoned for residential use. The Applicant anticipates that construction shall be performed in phases over a 7 to 10 year period, depending on market conditions.

DECISION

A. Findings

On the basis of the evidence submitted to the Planning Board, including the Application and all supporting plans, drawings, and documents, the public hearing, the written reports of Town officials and boards, engineering review by Barbara J. Thissell, P.E., Inc., Vanasse, Hangen, Brustlin, Inc., and Woodard & Curran; four of the five members of the Planning Board of the Town of Millis find as follows:

1. The proposed development achieves the purposes designated in Section A of the Senior Residential Community Bylaw ("SRC Bylaw"), by providing alternative housing for a maturing population; providing a type of housing which reduces residents' burdens of property maintenance and which reduces demands on municipal services; promoting flexibility in land use planning in order to improve site layouts; protecting natural features and environmental values of land; and utilizing land in harmony with neighboring properties. In particular, the Board finds that the variety of proposed detached single-family dwellings and attached multi-family dwellings will offer housing for an economically diverse portion of the senior population, that the proposed onsite recreation facilities will reduce traffic flow to adjacent roadways, that the preservation of, at minimum, 78.24 acres of open space and the application of the buffer requirements of the SRC bylaw will serve to protect the natural features and environmental values of the land in harmony with the character of neighboring properties. The amount of proposed open space and recreational land is greater under the proposed SRC design than a typical subdivision constructed in compliance with the Town of Millis Subdivision and Zoning Bylaws for this area.
2. The proposed Development will not create undue traffic congestion, or unduly impair pedestrian safety.

The Planning Board finds that, based on the traffic study provided and the independent traffic review provided by Vanasse, Hangen, Brustlin, Inc, although the proposed use may generate slightly greater traffic volume than under existing use and alternative by-right uses, the volumes at peak are comparable to its present use. The Planning Board further finds that the reduction in the size and number of public events proposed by the Applicant and the limitation of public events to Friday, Saturday, and Sunday will assist in reducing traffic flow created by the proposed use, as will the reduction of the golf course from an eighteen-hole course to a nine-hole course. The Planning Board finds that the Applicant has provided 301 off-street parking spaces and 46 off-street parking spaces for visitors, which shall prevent traffic congestion from on-street parking. The Planning Board finds that the Applicant has allowed adequate sight distance for access and egress points of the development so as not to endanger pedestrian safety with regard to traffic flow onto adjacent public ways.

3. The proposed Development will not overload public water, drainage, or sewer systems or any other municipal service to such an extent that the proposed development or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The Planning Board finds that although the proposed use will result in an increase to wastewater generation, the Applicant will install an on-site sewage disposal system adequate to address the wastewater generated by the proposed use. The Planning Board finds that the proposed use will increase domestic water usage (to 91.5K gpd), but decrease irrigation water use down to 50K to 80K gpd, which is below irrigation use allowed by right (200K).

The Planning Board further finds that the Applicant shall replace the existing watermain in Orchard Street with a new 12-inch diameter line, reconnecting existing service connections to properties currently connected and providing service stubs to properties of record on the date of this Decision in accordance with "Water Main Construction Guidelines Governing Water Work in the Town of Millis, Massachusetts, Effective July 2007".

4. The proposed development will not impair the integrity or character of the neighborhood, district or adjoining zones, or be detrimental to the health, morals, or welfare thereof.

The Planning Board finds that the proposed residential use, with associated recreation uses, is in character with the surrounding area, which is zoned residentially. The Planning Board finds no significant increase in traffic flow from the proposed use and a reduction in the noise generated on the property due to the decreased golf course and function use.

Further, prior to the issuance of a Building Permit, the Applicant shall pay to the Town of Millis the sum of \$150,000 for its use at its discretion for mitigation purposes.

5. The proposed development facilitates the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner than a conventional subdivision would on the same tract. All proposed roadways will be privately constructed and maintained.
6. The Application submitted by the Applicant complies with all sections of the Senior Residential Community Bylaw and the Zoning Bylaws as a whole, except as explicitly waived herein.
7. The open space shall be owned and maintained by the Homeowners Association pursuant to a Declaration of Trust consistent with Section F.1.c of the SRC bylaw. Documents establishing such ownership shall be recorded in the Norfolk County Registry of Deeds prior to issuance of a Certificate of Occupancy for any unit hereunder.

8. The proposed location and arrangement of structures, with the 100-foot natural buffer zone enforced, shall not be detrimental to existing or prospective adjacent structures or to existing or prospective development of the neighborhood.
9. The dimensions and construction of roads, alleys and parking areas within the development, whether or not the dedication of them to the Town is contemplated, shall conform to all applicable regulations of the Town, including in particular, the Rules and Regulations Governing the Subdivision of Land adopted by the Planning Board, except as follows:

Primary and driveway access roadways shall be 26-feet and 18-feet in width (gutter to gutter) respectively. Roadway construction shall be in accordance with the roadway cross-section found on sheet 16 of 23 of the Preliminary plan. Minimum centerline radii of primary access roadways shall be 61-feet.
10. The maximum permitted height of structures shall be 35 feet.
11. Open spaces between structures, including those spaces being used as public or private recreational areas, shall be protected by adequate covenants running with the land or by conveyances or dedications, subject to the approval of the Planning Board.
12. The proposed Development with Conditions, including the 100-foot natural, perimeter buffer imposed is in harmony and consistent with the general purpose and intent of the Zoning Bylaw and is in the best interest of the Town of Millis.

B. Grant of Special Permit

Therefore, the Planning Board of the Town of Millis, by a unanimous (four to zero) vote grants a Special Permit, pursuant to General Laws, Chapter 40A, Section 9 and the Zoning Bylaw of the Town of Millis, Section XVII, to the Applicant to construct a Senior Residential Community Development in accordance with the plans, drawings and other documents submitted to the Planning Board. The grant of this Special Permit is subject to the following waivers and conditions.

C. Waivers

At public meetings on January 8, 2007 and January 22, 2007, the Planning Board acted on the following waivers from the SRC Bylaw by the Applicant:

1. Section XVII.D of the Town of Millis Zoning By-Law for Senior Residential Community Development (SRC By-Law) provides for the Planning Board to approve and specify in its Special Permit to "allow persons of all ages to live in a dwelling unit together with a senior resident for purposes such as care of a senior in ill health or enabling seniors to fulfill legal responsibilities of guardianship or custody." The Applicant requests that this provision be included in this Special Permit.

On motion of Catherine MacInnes and seconded by Robert Cantoreggi, the Board unanimously voted to DENY this waiver.

2. Section XVII.E.3 of the SRC By-Law provides that the Planning Board may waive the requirement that no wastewater management systems be located within the Required Open Space. In accordance with this provision, the Applicant requests that approximately 1.67 acres of the proposed below grade wastewater disposal fields be allowed in open space area of which approximately 0.31 acres is in the perimeter property line buffer, as shown on the Perimeter Property Line and Open Space Waiver Request Plan, Sheet 19 of 23 of the Preliminary Plan.

On motion of Catherine MacInnes and seconded by Robert Cantoreggi, the Board unanimously voted to GRANT this waiver. The Planning Board finds that to achieve the goals outlined in the SRC Bylaw, and given the unique circumstances of this specific tract, it is in the best interest of the Town of Millis to grant this waiver.

3. Section XVII.E.4 of the SRC By-Law provides that the Planning Board at its discretion may waive the requirement that all Open Space be contiguous and may allow the Required Open Space to consist of not more than three parcels, none less than one acre in size. In accordance with this provision, the Applicant requests that two areas of non-contiguous Open Space be allowed. Open Space Area 1 shall include approximately 68.4 acres and Area 2 approximately 21.8 acres, as shown on the Perimeter Property Line and Open Space Waiver Request Plan, Sheet 19 of 23 of the Preliminary Plan.

On motion of Catherine MacInnes and seconded by Robert Cantoreggi, the Board unanimously voted to GRANT this waiver. The Planning Board finds that to achieve the goals outlined in the SRC Bylaw, and given the unique circumstances of this specific tract, it is in the best interest of the Town of Millis to grant this waiver.

4. Section XVII.G.8.b of the SRC By-Law provides that the Planning Board at its discretion may waive or modify the roadway standards for private roads to meet site conditions and design requirements. The Applicant requests that the Planning Board accept the roadway widths and radius of curvature, as shown on the Roadway Waiver Request Plans, Sheets 14 through 18 of the Preliminary Plan.

On motion of Catherine MacInnes and seconded by Robert Cantoreggi, the Board unanimously voted to GRANT this waiver. The Planning Board finds that to achieve the goals outlined in the SRC Bylaw, and given the unique circumstances of this specific tract, it is in the best interest of the Town of Millis to grant this waiver.

5. Section XVII.G.8.f of the SRC By-Law provides that the Planning Board at its discretion may allow the perimeter buffer to be included in the Open Space computations. In accordance with this provision, the Applicant requests that approximately 16.1 acres of Open Space located within the perimeter property line buffer, as shown on the Perimeter Property Line and Open Space Waiver Request Plan, Sheet 19 of 23 of the Preliminary Plan, be included in the Open Space calculation.

On motion of Catherine MacInnes and seconded by Robert Cantoreggi, the Board unanimously voted to GRANT this waiver. The Planning Board finds that to achieve the goals outlined in the SRC Bylaw, and given the unique circumstances of this specific tract, it is in the best interest of the Town of Millis to grant this waiver.

6. Section XVII.G.8f of the SRC By-Law provides that the Planning Board at its discretion may allow the perimeter buffer to be reduced to 50 feet at appropriate locations, taking into account the character or open space use of abutting properties. In accordance with this provision, the Applicant requests that approximately 685 linear feet of property line buffer be reduced to 50 feet, in the area shown on the attached Roadway Waiver Request Plans, Sheets 16 and 17 of 23 of the Preliminary Plan.

On motion of Catherine MacInnes and seconded by Robert Cantoreggi, the Board unanimously voted to DENY this waiver.

The aforementioned waivers are granted in consideration of the following mitigation measures offered by the Applicant:

1. Prior to application for a certificate of occupancy for any unit(s) hereunder, subject to the approval of the Millis Department of Public Works standard specifications for water main installations and subject to any necessary approvals therefor, including but not limited to a water connection permit from the Board of Selectmen, the Applicant shall remove or abandon the existing water main in Orchard Street and install a new 12-inch diameter water main in Walnut Street in accordance with "Water Main Construction Guidelines Governing Water Work in the Town of Millis, Massachusetts, Effective July 2007". Work shall include reconnecting existing property services and providing stubs to the property lines of properties of record at the time of this Decision. All work, including roadway repairs, shall comply with Millis Department of Public Work standards.
 2. Prior to the issuance of a Building Permit, the Applicant shall pay to the Town of Millis the sum of \$150,000 for use at its discretion for mitigation purposes.
- D. Conditions of Approval

At a regular meeting held on April 1, 2008, acting on a motion made by James McKay and seconded by George Yered, the Planning Board voted to approve the within described request for a Special Permit, with the following conditions:

SUBMISSION OF FURTHER PLANS AND ENGINEERING REVIEW

1. Within 30 days of this decision, in response to the Applicant's withdrawal of Waiver No. 7 (the Applicant's request to reduce the perimeter buffer at the western most access) and the Board's denial of Waiver No. 6 (the Applicant's request to reduce the perimeter buffer at the north-central border with Holliston) the Applicant shall file with the Board for incorporation into this decision a revised Housing Pod Area Plan, Sheet 2 of 23 of the Preliminary Plan,

revised so as to provide a 100 ft. perimeter property line buffer to adjacent properties in the areas at issue in Waiver No. 7 shown on Sheet 15 of 23 of the Preliminary Plan, and in Waiver No. 6 shown on Sheets 16 and 17 of 23 of the Preliminary Plan, all as shown on the sketch attached hereto as Attachment A; all references hereinafter to the Preliminary Plan and the Housing Pod Area Plan shall mean the Preliminary Plan and the Housing Pod Area Plan as so revised.

2. Not less than forty-five (45) days prior to either the anticipated date of commencement of construction or the submission of application for building permits, whichever is earlier (the "Definitive Plan Submission Date"), the Applicant shall deliver to the Board and the Board's designated consulting engineer final, detailed site plans ("Definitive Plans") for the phase of construction at issue which are of a quality and level of detail sufficient to allow the Board to review the plans for compliance with both the terms of this Decision and industry standards and applicable law. Such Definitive Plans shall include all roadway design information, landscaping, stormwater management calculations demonstrating conformance with the "Land Subdivision Rules and Regulations of the Planning Board of the Town of Millis, Massachusetts" and all items identified as "Definitive" on the Level of Design Table dated September 27, 2007 attached to this Decision as Attachment B. In addition, the Applicant shall deliver to the Board a construction mitigation plan including, but not limited to, dust control measures, delivery schedules, and like matters.

No construction shall commence and no building permits shall be issued under this Decision until the Board, in consultation with its designated engineer, has approved by majority vote the Definitive Plans and construction mitigation plan as being in conformance with this Decision. As part of the site plan review the Board may impose reasonable conditions. The forty-five (45) day site plan review period may be further extended by agreement of the Applicant. Failure to act within forty-five (45) days does not constitute approval.

SCOPE OF DEVELOPMENT

1. Subject to the Planning Board's aforementioned engineering review, the other conditions of the Special Permit imposed herein, and the design criteria of the SRC Bylaw, the Applicant may construct a maximum of 341 units in up to seven phases, reasonably consistent with and as shown on the attached "Figure No. 3.4-1, Phasing Plan, Glen Ellen Country Club," "Attachment C," containing a maximum of 774 bedrooms, within the three "Housing Pod Areas" shown on the Housing Pod Area Plan, Sheet 2 of 23 of the Preliminary Plan. There shall be no more than four dwelling units per structure.
2. Subject to the Planning Board's approval of a Definitive Plan Submission for each phase, the conditions of the Special Permit stated herein, and the design criteria of the SRC Bylaw, the Applicant shall have discretion to modify information depicted on the Preliminary Plan set, including but not limited to, unit locations, the number of units within a building, building sizes, roadway layouts, stormwater management facilities, and the location of satellite parking and other infrastructure within the three "Housing Pod Areas" shown on the Housing Pod Plan, Sheet 2 of 23 of the Preliminary Plan, however, at no time shall such modifications reduce the minimum roadway widths, minimum

centerline radii, and extent of sidewalks nor increase the maximum length of dead-end streets, shown on the Preliminary Plan. Like infrastructure design features not explicitly mentioned in this Paragraph shall remain consistent with that. At no time shall the number of parking spaces to be provided per unit or visitor parking spaces be changed from that required by this decision.

STORMWATER MANAGEMENT

1. Any relocation of stormwater management facilities, including any relocation of detention basins, shall be within the "Housing Pod Areas" shown on the Housing Pod Area Plan, Sheet 2 of 23 of the Preliminary Plan, and shall be outside open space areas as shown on the Open Space Plan, Sheet 6 of 23 of the Preliminary Plan.
2. The stormwater management system for each phase shall be maintained in accordance with an operations and maintenance plan to be submitted for review and approval during the Board's aforementioned engineering review.
3. The stormwater management system shall be designed in conformance with the "Land Subdivision Rules and Regulations of the Planning Board of the Town of Millis, Massachusetts". The Stormwater management system design shall be submitted to the Board for engineering review and approval. The Applicant shall annually have prepared a document by a registered professional engineer certifying that all inspections and maintenance of the stormwater management system have been completed as proposed and approved, and listing the dates of all inspections and the nature of the maintenance work completed. This letter shall be submitted to the Planning Board and Department of Public Works.

GOLF & RECREATION

1. Any golf use within the open space areas shown on the Open Space Plan, Sheet 6 of 23 of the Preliminary Plan, shall cease prior to completion and occupancy of all units authorized by this Special Permit.
2. Walking trails within the SRC as shown on the Preliminary Plan shall be open to the residents of Millis, including reasonable access thereto from Orchard Street, subject to reasonable rules and regulations of the Homeowners Association concerning hours of use, rubbish disposal, parking, and like health and safety concerns. Said rules and regulations shall apply equally to the homeowners and other town of Millis residents. Any such limitations on the public's access to the walking trails shall be prominently posted at the public points of entry to the walking trails.
3. A sidewalk shall be constructed between the existing parking lot located approximately five hundred feet from the proposed clubhouse prior to the occupancy of said clubhouse.

ROADWAYS

1. The roadways have been designed to safely serve the residents of the Development. Wetland impacts have been avoided to the maximum extent practicable. Wetland crossings, where needed, occur at the narrowest crossing point. There are two such crossings. Those crossings are the only practicable means to provide access to upland areas within the Development.

The posted roadway speeds for internal roadways shall be 25 miles per hour for twenty-six foot wide roadways, and 10 miles per hour for eighteen-foot roadways. Emergency access road shall be used for emergency, maintenance and recreational uses only.

2. Prior to application for a certificate of occupancy for any unit(s) within "Housing Pod Area #3" on Sheet 2 of 23 of the Preliminary Plan, the Applicant shall install an emergency access road consistent with the "Emergency Access Road" shown on Sheets 7 and 8 of 23 of the Preliminary Plan, which shall be 12 ft. in width and 13 ft. min vertical clearance, which shall be constructed of a roadway base sufficient to carry heavy fire apparatus at all times of the year and subject to the approval of the Millis Department of Public Works.

The Homeowners Association shall provide to the Millis Department of Public Works annual certification that the emergency access roadway is in good repair. The Emergency Access Road shall be plowed of snow and kept clear at all times by the Homeowners Association. In the event that it is not cleared, the Millis Department of Public Works is authorized to enter the property to clear the Emergency Access Road, the costs of which shall be reimbursed within 60 days of submission to the Homeowners Association of a bill for the costs of the clearing. The Applicant shall indemnify and hold harmless the Millis DPW, its employees, agents, and assigns for any damages, including reasonable attorneys fees, resulting from said plowing operation, except to the extent of gross negligence or intentional misconduct of such indemnified parties.

3. On the eighteen-foot wide roadways terminating in a dead-end, satellite mailboxes and trash pickup areas shall be provided at the intersections with twenty-six foot wide roadways.
4. There shall be no on-street parking on eighteen-foot wide roadways. Prior to the issuance of any Certificates of Occupancy, the Applicant shall post signs in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) along the eighteen-foot roadways prohibiting parking. The placement of those signs in proximity to the roadways shall be subject to the approval of the Planning Board in consultation with the Chief of Police.
5. There shall be on-street parking permitted on only one side of the twenty-six foot wide roadways. Prior to the issuance of any Certificates of Occupancy, the Applicant shall post signs in accordance with the MUTCD on one side of the twenty-six foot roadways

prohibiting parking. The placement of those signs in proximity to the roadways shall be subject to the approval of the Planning Board in consultation with the Chief of Police.

6. The Applicant shall obtain all necessary approvals from the Board of Health, Conservation Commission, Department of Public Works, The Board of Selectmen and any other boards or commissions having jurisdiction over this development. Approvals and/or permits shall reference the Preliminary Plan.

HOMEOWNERS ASSOCIATION

1. The Applicant agrees to form a Homeowners Association for the purpose of providing a perpetual mechanism for maintaining all elements of the SRC, including but not limited to, buildings, roadways, landscaping, drainage system, septic system, and utilities that lie on private property. The Master Deed and other documents proposed for the creation of the Homeowners Association shall be subject to approval by Town Counsel for conformance with this Decision and applicable legal requirements.
2. Each individual deed and the deed of trust, master deed or articles of incorporation shall include appropriate restrictions and provisions, satisfactory to the Planning Board, designed to implement the terms and limitations of this Senior Residential Community Development bylaw.
3. The Applicant shall notify in writing the Planning Board, Board of Health, Conservation Commission, Department of Public Works, Board of Selectmen and any other boards or commissions having jurisdiction over this development of the transfer of maintenance responsibility from the Applicant to the Homeowners Association. Contact information including contact name, phone number and mailing address should be provided. Similarly, any change in contact information within the Homeowners Association should be provided in writing within seven days to all boards and commissions having jurisdiction.

CONSTRUCTION

1. Prior to the start of construction of the roadways, the Applicant shall conduct a "pre-construction meeting" with the Planning Board, Town Administrator Department of Public Works, Fire Chief, Police Chief and all other parties the Planning Board deems necessary.
2. Prior to the start of construction of the roadways, the Applicant shall meet with the Chief of Police and Town Administrator to determine whether the placement of informational or warning signs in addition to those explicitly required by this decision would minimize any potential traffic problems. If, in the opinion of the Chief of Police and the Town Administrator, a determination is made that informational or warning signs are appropriate, the Applicant shall provide such information or warning signs or reimburse, prior to the start of construction, the Town of Millis for the cost of the acquisition and

installation of such signs. The placement of the signs will be at the discretion of the Town Administrator and the Chief of Police.

3. The Applicant shall appoint a lead development staff person, who may change from time to time as the development progresses, who will submit schedules and reports to the Board's engineers and inspectors as follows:
 - The name and 24-hour contact information for the lead development staff person shall be furnished to the Planning Board, Town Administrator, Department of Public Works, Fire Chief, Police Chief and others deemed necessary. Said departments shall be notified in writing of any change in the contact information within seven days.
 - For each building phase, prior to authorization to proceed being issued to the contractor, the construction schedule in its entirety and construction traffic mitigation plans shall be submitted to the Planning Board and Department of Public Works for their review and information;
 - A monthly update of work completed and the impending work schedule shall be submitted to the Planning Board and Department of Public works.
 4. Construction inspections shall be consistent with construction inspection requirements described in the "Land Subdivision Rules and Regulations of the Planning Board of the Town of Millis, Massachusetts." Inspections shall be performed by a designee of the Planning Board with associated costs being paid by the Applicant.
 5. Dust control measures, including the watering of disturbed areas, as well as street sweeping, shall be deployed during construction as required or as directed by the Department of Public Works and/or the Board of Health. The use of calcium chloride is prohibited.
 6. Construction vehicles shall not be allowed to park and/or queue on Orchard Street at any time.
- The Building Inspector or his designees may enforce this provision and all other limitations on construction activities listed herein.
7. Hay bales or other suitable sediment controls shall be installed and maintained, through final grading, to prevent soil erosion onto adjacent properties.
 8. The 100-foot perimeter buffer zone in the vicinity of proposed work shall be marked in the field prior to the start of construction to the satisfaction of the Planning Board. Said perimeter buffer zone shall be protected and maintained throughout construction. During its aforementioned Definitive Plan engineering review, the Planning Board may at its discretion allow limited, reasonable disturbance within the 100-foot perimeter buffer zone for the purpose of grading or stormwater detention as reviewed and approved by the Board on a case by case basis. If allowed, such disturbed areas shall be restored to a natural state to the satisfaction of the Planning Board.

9. Measures to discourage trespassing and to protect open excavations shall be deployed at all times in accordance with current Massachusetts Department of Public Safety standards.
10. No construction shall be started prior to 7:00 A.M. or continue beyond 6:00 P.M. No work will be permitted on the site on Sundays or on holidays observed in Norfolk County, Massachusetts. Construction hours shall be prominently posted and maintained at locations on-site, to the satisfaction of the Planning Board.
11. During construction, vehicular and equipment parking are not allowed within thirty (30) feet of any public roadway or within the 100-foot perimeter buffer.
12. The Applicant shall identify and post prominently onsite the name, address and phone number of the contract person for construction management of the development. Said contact person shall be available 24 hours per day, seven days a week throughout construction.
13. The Applicant shall provide a dumpster on-site throughout construction. The site must be kept neat and orderly at all times. Dumpster servicing shall be during construction times cited above.
14. There shall be no burial of any tree stumps or demolition debris on the site.
15. The Applicant shall submit "as built" plans as follows:
 - Building "as-built" plans to the Building Inspector with the application for Certificates of Occupancy. The Building Inspector may issue temporary Certificates of Occupancy provided that within sixty (60) days full as-built plans must be submitted before final Certificates of Occupancy may be issued and the Building Inspector may withdraw temporary Certificates of Occupancy if full as-built plans are not submitted within such sixty (60) day period.
 - Site "as-built" plans consistent with the "Land Subdivision Rules and Regulations of the Planning Board of the Town of Millis, Massachusetts." including, but not be limited to all building locations, roadways, driveways and utility locations shall be timely filed with the Planning Board and Department of Public Works. As-built plans shall be reviewed by the Planning Board for compliance with the approved Definitive Plans. If the Board determines that the Applicant is failing to timely submit, without good cause, as-built plans, the Board shall have cause to deny approval of subsequent phases until such plans are submitted and approved. For the final phase of construction, Site "as-built" plans shall be submitted to the Board contemporaneously with the submission of the building "as-built" plans to the Town Administrator and Building Inspector.
 - Utility "tie cards" are to be included with the "as-built" plan at the completion of each building phase for each completed phase of construction. Failure to do so, without good cause, may be grounds for the Board to deny approval of subsequent phases until the as-built plans are submitted and approved.

16. The Applicant shall provide office space or a construction trailer suitable for office space at the site to which the Board's inspectors and engineer and town staff appropriately involved in the review of this development shall have non-exclusive use and access, which shall include at least the following facilities: phone, fax with printer, computer with internet access with printer, desks and chairs, filing cabinets, minimum plan table of 36"x72", rack for plans, hard hats, potable water, refrigerator, heat and air conditioning.
17. Sweeping of paved construction routes to building sites must be performed as needed or as directed by the Planning Board, Department of Public Works or Building Inspector, during construction.

OPEN SPACE

1. Prior to application for a Certificate of Occupancy, the Applicant shall deliver a suitable Covenant guaranteeing the preservation of this land and open space.
2. The Applicant shall construct all amenities and preserve open space as required by the Zoning Bylaw of the Town of Millis. This open space shall consist of at least 78.24 acres.
3. Of the proposed open space, at least 64.9 acres shall be located in the vicinity of the proposed housing west of the Country Club facilities. Of those 64.9 acres, at least 46.3 are to be upland area and no more than 18.6 are to be resource areas.
4. The proposed open space shall not be further subdivided, except in accordance with the plan entitled "Bogastow Co., Inc., Plan of Land in Millis & Holliston," dated October 30, 2007, drawn by Guerriere & Halnon, Inc., endorsed by the Board as "approval not required" under the Subdivision Control Law.

WATER & SEWER

1. The Sewage Collection System and Water Distribution system shall be constructed to meet all state and local standards and codes. Water system design including but not limited to water pressure and hydrant spacing requirements shall be in accordance with "Water Main Construction Guidelines Governing Water Work in the Town of Millis, Massachusetts, Effective July 2007".
2. All of the buildings are to be connected to the public water supply and to the on-site private sewer system pursuant to sewer and water connection permits to be sought from the Millis Board of Selectmen, the Millis Board of Health and/or the Massachusetts Department of Environmental Protection as appropriate. The Applicant shall submit final construction plans for the sewer and the water utilities to the Town of Millis Board of Selectmen, Department of Public Works and the Millis Board of Health thirty (30) days prior to construction, and no building construction shall take place until said plans have

been reviewed by said parties and approved as appropriate as being in compliance with applicable Town and state regulations.

3. Applicant will construct, operate, maintain and repair at its sole expense a Private Wastewater Treatment Facility ("PWTF") providing all necessary wastewater treatment for the development as designed and constructed pursuant to plans approved by the Massachusetts Department of Environmental Protection.
4. Use of all existing septic systems shall be terminated upon the completion of the PWTF and such septic systems shall be abandoned in accordance with the State Environmental Code, 310 CMR 15.00, et seq., and the Town of Millis Board of Health.
5. If required by the Massachusetts Department of Environmental Protection, the Applicant shall provide a 100% reserve area for the proposed wastewater disposal field system.
6. The Applicant shall submit a copy of the hydrogeologic evaluation and engineering report for the wastewater treatment and subsurface disposal system to the Planning Board for review and comment at the time of submittal of the evaluation to the DEP. The Applicant shall provide reasonable fee for the Planning Board's consultant to review information.
7. A Membrane Bioreactor (MBR) wastewater treatment system shall be constructed as it removes the greatest amount of PPCPs from wastewater, in comparison to other technologies.

DEVELOPMENT CHANGES

Given the complexity of this development, and the proposal to phase the development over an extended period of time, it is contemplated that changes to the development will be required to respond to field changes, presently unknown conditions, and changes in market conditions, building techniques, and legal requirements, among other things. No such change, which is consistent with this Decision in all material respects including but not limited to the maximum number of units (341), building pod location, perimeter buffer and open space as determined by the Planning Board, shall require an amendment of this Special Permit.

GENERAL

1. In the event of any conflict between the conditions imposed by this Decision and the terms of any other document or agreement regarding the Development, the terms and conditions of this Decision shall control.
2. The term "Applicant" as used herein shall include the actual Applicant, any affiliate or subsidiary thereto and any successors in interest to the Property or the development contemplated hereunder or any portion thereof.

3. Except as explicitly waived herein, at all times the development shall comply with the Town of Millis Zoning By-Law and Land Subdivision, Rules and Regulations of the Planning Board of the Town of Millis, Massachusetts.
4. Snow and ice removal shall be the responsibility of the Applicant and/or Homeowners Association. Snow and ice removal shall be undertaken as soon as is practicable after snowfall and shall not impede or obstruct the roadway, driveways, emergency access or the sight lines thereon. Accumulated ice on the roadway, driveways and parking lots shall be promptly removed or sanded such that vehicles may pass safely.
5. The Homeowners Association shall contract licensed trash and recyclable haulers to remove refuse from the site weekly.
6. The Applicant shall comply with all requirements imposed as a result of the Massachusetts Environmental Policy Act ("MEPA") review and any change in the Preliminary Plan in order to comply with said MEPA requirements shall be submitted to the Planning Board for review and approval.
7. The Applicant shall pay all reasonable costs and fees of Town Counsel and the Planning Board's consultants and inspectors, including testing in performing all services required by this Decision. The scope of services or scope of work and budget for the resident inspectors shall be approved by the Planning Board. Any fees due to the Town Counsel and the Planning Board's consultants and inspectors shall be paid in full upon receipt of invoice. Temporary or permanent Certificate of Occupancy shall not be issued with outstanding monetary obligations to Planning Board and/or Department of Public Works. Payment of Town Counsel's fees arising from litigation or appeal of this Permit or in providing services not required by this Decision shall not be required.
8. The Applicant shall provide written notice within seven days to the Planning Board, Board of Selectmen and Department of Public Work in the event of any change in the ownership of the Applicant.
9. Appeals, if any, from this Decision shall be made pursuant to Massachusetts General Laws, Ch. 40A, Sec. 17 and shall be filed within twenty (20) days after the date of filing of this Decision in the office of the Town Clerk.
10. This Decision shall not take effect until a copy of the Decision bearing the certificate of the Town Clerk is recorded with the Norfolk District Registry of Deeds in accordance with the provisions of Massachusetts General Laws, Ch. 40A, Sec. 11 and 15.
11. This Special Permit shall lapse within two years, excluding such time required to pursue or await the determination of an appeal from the grant thereof, if a substantial use thereof has not sooner commenced, except for good cause or, in the case of a permit for construction, if construction has not begun by such date; except for good cause.

Given the complexity of this development, and the need to phase this development over many years, the Board specifically finds and determines that construction of the entire development shall have begun, for purposes of M. G. L. c. 40A, § 9, if construction of internal roadways and utility systems is underway with respect to any phase of the development within the two year period, as that period may be extended as a result of appeals or for other good cause.

Likewise, for purposes of M. G. L. c. 40A, § 6, the Board finds and determines that: (a) construction of all phases of the development shall have commenced as soon as construction of internal roadways and utility systems is underway for any phase of the development; and (b) construction of the entire development shall be deemed to have "continued through to completion as continuously and expeditiously as is reasonable" as long as (i) construction activities within the development do not entirely discontinue for more than two years, other than for good cause found by the Board, and (ii) construction of any phase of the development is completed within seven years after construction of that phase has commenced.

12. Any finding, by any court of competent jurisdiction, that any preceding condition is unenforceable shall not otherwise affect the enforceability of the remainder of the conditions hereof.
13. The Applicant shall obtain any and all permits, licenses, approvals and authorizations required by local, regional, state and federal authorities for the development.

D. Vote of the Board

Below is the vote of the individual members of the Planning Board on the application for a Special Permit, Tuesday, April 1, 2008.

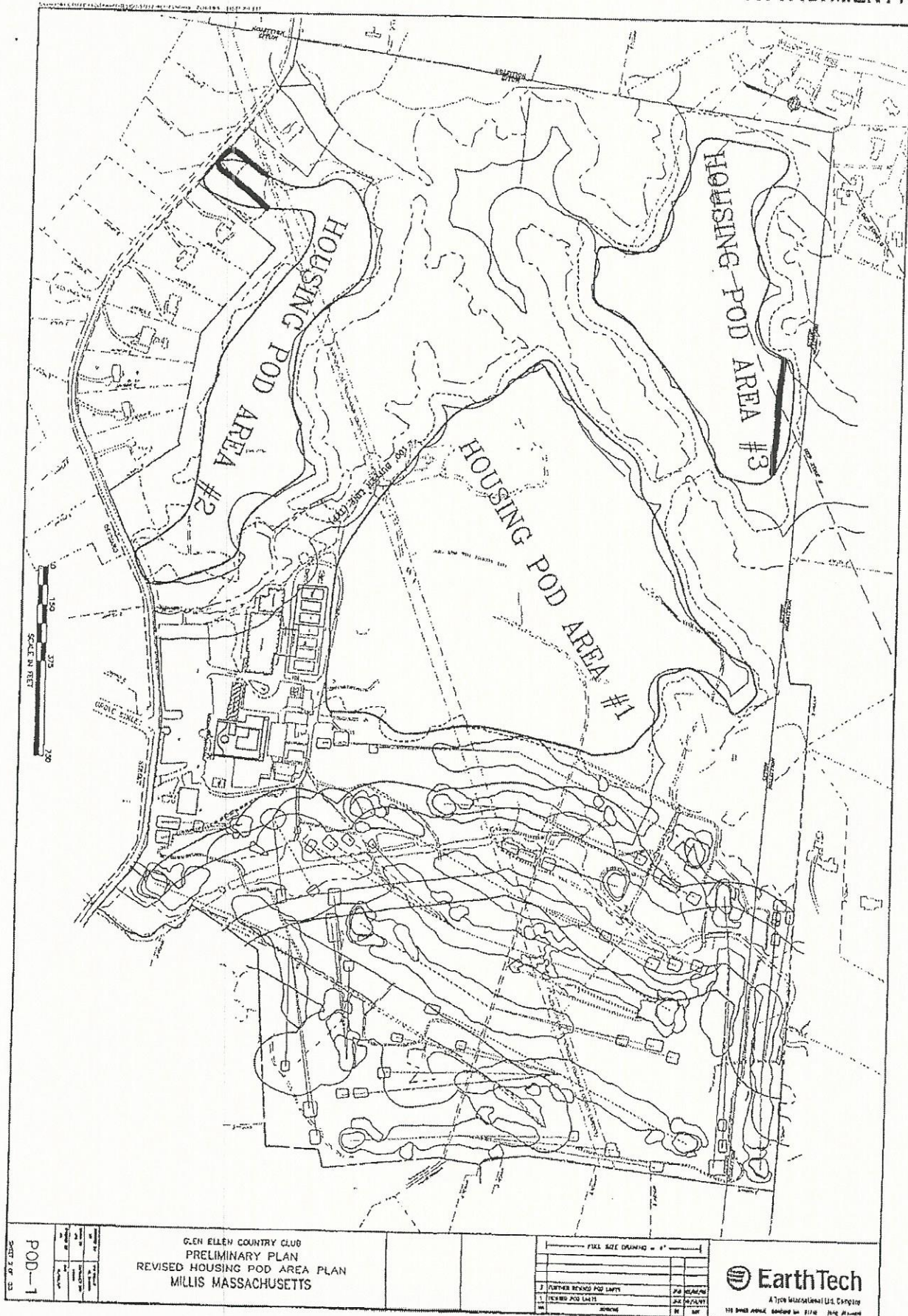
Present and Voting:

Catherine C. MacInnes, Chair
George Yered
Robert Cantoreggi
James McKay

The Planning Board certifies that copies of this Decision and all plans referred to in it have been filed with the Planning Board and Town Clerk.

This Special Permit is not valid until registered in the Norfolk Registry of Deeds.

ATTACHMENT A



ATTACHMENT B

**GLEN ELLEN COUNTRY CLUB
SENIOR RESIDENTIAL HOUSING**

Revised 9/27/2007

LEVEL OF DESIGN - PLANNING BOARD

	PRELIM.	DEFINITIVE	COMMENTS
<u>WATER</u>			
Demand Calculations	X		Potable & fire protection
Source	X		Town supply
Pressure/Booster Pumping	X		Not needed if larger main
Fire Flow Requirements	X		ISO Requirements
Pipe Sizing	X		
Horiz. (plan) Locations	X		Typical
Typical Details	X		
Hydrant Locations		X	As per town requirements
Meter Location(s)		X	As per town requirements
Valving		X	As per town requirements
Fittings		X	Bends, sleeves, gates, etc.
Materials		X	DI, PVC, HDPE
Specifications		X	Excav, testing, etc.
House services		X	Curb stops, gate valves
Traffic Management		X	
Erosion & Sedimentation		X	
<u>SEWER</u>			
Flow Projections	X		
Gravity versus Pressure	X		
Pump Station Siting	X		
Horiz. (plan) Locations	X		
Typical Details	X		
Pump Station Design		X	
Type of Pump Station		X	
Pipe Sizing		X	
Rim & Invert Data		X	
Profiles		X	
Air/Vacuum Relief Fittings		X	
Materials		X	PVC, HDPE
Specifications		X	
Traffic Management		X	
Erosion & Sedimentation		X	
<u>WASTEWATER TREATMENT</u>			
Flow Projections	X		
Location	X		
General Footprint	X		
Treatment Process Selection		X	
Treatment Process Design		X	
Building Layout		X	

	PRELIM.	DEFINITIVE	COMMENTS
Building Materials		X	
Hydraulic Profile		X	
Specifications		X	
<u>WASTEWATER DISCHARGE</u>			
Location	X		
Type of Discharge	X		
Percolation Tests	X		
Test Pits/Borings	X		
Preliminary Hydrogeology	X		
Typical Details	X		
Final Hydrogeology		X	Mounding Analysis
Layout of Discharge Beds		X	
Specifications		X	
<u>ROADWAYS</u>			
Width(s)	X		
Typical Cross Section	X		
Plan Location	X		
Sidewalk	X		
Turning Radil	X		
Centerline Stationing		X	
Cross Sections		X	
Construction Details		X	
Profiles		X	
Specifications		X	
Traffic Management		X	
<u>TRAFFIC</u>			
Traffic Counts - Site	X		
Traffic Counts - Area	X		
Vehicle Trips	X		
Traffic Generation	X		
Accident History	X		
Distribution of Vehicle Trips	X		
Site Access & Circulation	X		
Site Parking	X		
Site Distances	X		
Intersection Impacts	X		
<u>DRAINAGE</u>			
Drainage Areas	X		Existing & Proposed
Drainage Calcs - Preliminary	X		
Plan Locations of Pipes	X		
Detention Pond Sizing	X		
Detention Pond Locations	X		
Typical Pond Cross Section	X		
Drainage Calcs - Final		X	Subdrainage areas
Pipe Sizing		X	
Rim & Inverts		X	

	PRELIM.	DEFINITIVE	COMMENTS
Piping Profiles		X	
Materials		X	PVC, RCP, Cor Metal
Detention Pond Design		X	
Construction Details		X	MH, CB, Piping, Trench, etc.
Final Grading		X	
Specifications		X	
Traffic Management		X	
Erosion & Sedimentation		X	
<u>CIVIL/UTILITIES</u>			
Type of Utilities - Prelim.	X		gas, electric, tel., cable
Location of Utilities	X		within roadways
Preliminary Landscape Plan	X		locations and planting type(s)
Preliminary Grading	X		5' contours
Type of Utilities - Final		X	
Typical Utility Details		X	
Final Landscape Plan		X	
Final Grading		X	1' contours
<u>CONDOMINIUM DOCUMENTS</u>			
Master Deed	X		
Declaration of Trust	X		
<u>ARCHITECTURAL</u>			
Sample Floor Plan	X		
Sample Elevation	X		
Interior Layouts		X	
Building Materials		X	
Colors		X	

ATTACHMENT C



FIGURE NO. 3.4-1
PHASING PLAN
GLEN ELLEN COUNTRY CLUB

L:\work\94222\CAO\PRELIMINARY-DESIGN\94222-KEY-PLAN.dwg 3/9/2007 11:04:27 AM EST

MILLIS PLANNING BOARD:

Catherine C MacInnesCatherine C. MacInnes
Chairperson☒ Approve ☐ deny ☐ abstainRobert Cantoreggi
Clerk☒ Approve ☐ deny ☐ abstainGeorge Yered
Member☒ Approve ☐ deny ☐ abstainJames McKay
Member☒ Approve ☐ deny ☐ abstain

DATE VOTED: April 1, 2008

DATED FILED WITH THE OFFICE OF THE TOWN CLERK: April 16, 2008

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN TWENTY (20) DAYS AFTER THE DATE THIS DECISION IS FILED IN THE OFFICE OF THE TOWN CLERK.

Received April 16, 2008
@ 10:30 A.M.

Lisa Jane Hardin
Town Clerk

This 6th Day of April, 2012

A True Copy Attest:

Lisa Jane Hardin
Town Clerk

40A § 11

ZONING

granting authority may accept a waiver of notice from, or an affidavit of actual notice to any party in interest or, in his stead, any successor owner of record who may not have received a notice by mail, and may order special notice to any such person, giving not less than five nor more than ten additional days to reply.

Publications and notices required by this section shall contain the name of the petitioner, a description of the area or premises, street address, if any, or other adequate identification of the location, of the area or premises which is the subject of the petition, the date, time and place of the public hearing, the subject matter of the hearing, and the nature of action or relief requested if any. No such hearing shall be held on any day on which a state or municipal election, caucus or primary is held in such city or town.

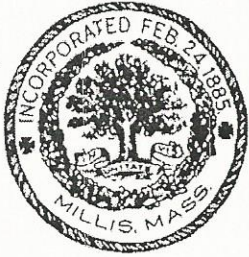
Zoning ordinances or by-laws may provide that petitions for special permits shall be submitted to and reviewed by one or more of the following and may further provide that such reviews may be held jointly:—the board of health, the planning board or department, the city or town engineer, the conservation commission or any other town agency or board. Any such board or agency to which petitions are referred for review shall make such recommendations as they deem appropriate and shall send copies thereof to the special permit granting authority and to the applicant; provided, however, that failure of any such board or agency to make recommendations within thirty-five days of receipt by such board or agency of the petition shall be deemed lack of opposition thereto.

When a planning board or department is also the special permit granting authority for a special permit applicable to a subdivision plan, the planning board or department may hold the special permit public hearing together with a public hearing required by sections 81K to 81GG inclusive of chapter 41 and allow for the publication of a single advertisement giving notice of the consolidated hearing.

Upon the granting of a variance or special permit, or any extension, modification or renewal thereof, the permit granting authority or special permit granting authority shall issue to the owner and to the applicant if other than the owner a copy of its decision, certified by the permit granting authority or special permit granting authority, containing the name and address of the owner, identifying the land affected, setting forth compliance with the statutory requirements for the issuance of such variance or permit and certifying that copies of the decision and all plans referred to in the decision have been filed with the planning board and city or town clerk.

No variance, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the city or town clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, or that if it is a variance which has been approved by reason of the failure of the permit granting authority or special permit granting authority to act thereon within the time prescribed, a copy of the petition for the variance accompanied by the certification of the city or town clerk stating the fact that the permit granting authority failed to act within the time prescribed, and no appeal has been filed, and that the grant of the petition resulting from such failure to act has become final, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

A special permit, or any extension, modification or renewal thereof, shall not take effect until a copy of the decision bearing the certification of the city or town clerk that 20 days have elapsed after the decision has been filed in the office of the city or



TOWN OF MILLIS
900 MAIN STREET
MILLIS, MASSACHUSETTS 02054

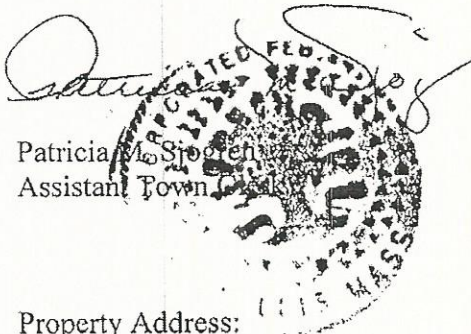
Office of Town Clerk

Telephone: 508-376-7046
Fax: 508-376-7053

April 6, 2012

I hereby certify that the decision of the Planning Board of the Town of Millis on the application submitted by BOGASTOW COMPANY, INC. AND GLEN ELLEN COMPANY, INC. for property located at 84 ORCHARD STREET, Assessor's Map 1, Parcels 1, 2, 3, 4, and 3B, and Map 5, Parcel 35, MILLIS, MASSACHUSETTS, was filed in the office of the Town Clerk on April 16, 2008, and that the only appeal which was filed has been dismissed.

ATTEST:


Patricia M. Spore
Assistant Town Clerk

Property Address:
84 Orchard Street
Millis, MA