

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 130, Veterans Memorial Building, 900 Main St., Millis, MA
November 13, 2017**

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, Cara Krinsky, Daniel Lee

Members Absent:

Others present: Daniel Merrikin, Merrikin Engineering
John Simmons, 23 Larch Rd.
Ellen Rosenfeld, 730 Main Street
Charles Tangerini, 139 Spring St.

**PROPOSED AMENDMENTS TO WETLAND RULES & REGULATIONS,
PUBLIC HEARING**

The public hearing was opened at 7:30 p.m. with notice being read by Dr. James Lederer, Chair.

Mr. Lee presented the proposed amendments to the Wetlands Protection Rules & Regulations promulgated under the Town of Millis Wetlands Protection Bylaw, Article XIX. Sub-sections proposed to be amended include:

Sec. 2. Filing Requirements 2.3 Notice of Intent (1) Filing Procedures, by changing from nine (9) copies of the filing to four (4) copies plus one (1) electronic copy and

Sec. 5. Terms & Definitions, 5.17 Flooding, by replacing the definition in its entirety.

As Mr. Lee explained, due to advanced technology and digital records, filing procedures need to be updated; therefore the change to Section 2.3 (1) is warranted. In reference to the change in the definition of "Flooding," Mr. Lee stated that, in the past, there have been some difficulties with applicants providing specific flood elevations provided by FEMA for the Town of Millis when there are different elevations given for an abutting municipality. The amendment as proposed should rectify this issue and protect the interest of the Millis wetlands.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously to close the public hearing at 7:38 p.m.

On a motion made by Ms. Rich, seconded by Ms. Krinsky, it was voted unanimously to approve the amendment to Sec. 2.3 (1) as written.

On a motion made by Mr. Chisholm, seconded by Ms. Gavin, it was voted unanimously to approve the amendment to Sec. 5.17, Flooding, as written.

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**REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
23 LARCH ROAD – JOHN SIMMONS
GARAGE REBUILD**

The public hearing was opened at 7:38 p.m. by Dr. Lederer, Chair.

Mr. Simmons presented the application for the rebuilding of his garage (24' x 24') which burned down in a fire. He would like to re-build a 24' x 36' garage with a new foundation.

The Commission reviewed the application and required that the garage be moved four feet further/away (west) from the buffer zone.

On a motion made by Ms. Krinsky, seconded by Mr. Lee, it was voted unanimously at 7:54 p.m. to close the public hearing.

On a motion made by Dr. Lederer, seconded by Ms. Rich, it was voted unanimously to approve a Negative 3 Determination of Applicability with the 4-foot modification to the sketch/plan.

**DEP FILE# CE225-0407, ABBREVIATED NOTICE OF RESOURCE AREA
DELINEATION, PUBLIC HEARING, CONT.
RIDGE STREET (MAP 20, LOT 025)
PAUL HOLIAN, JR.**

The public hearing continuation was opened at 8:10 p.m. by Dr. Lederer, Chair.

Ms. Nicole Hayes of Goddard Consulting, LLC, via email dated November 10, 2017, requested a continuance to allow time for additional field work.

On a motion made by Ms. Rich, seconded by Ms. Gavin, it was voted unanimously at 8:11 p.m. to continue the public hearing to Monday, December 4, 2017, 7:40 p.m.

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

The public hearing continuation was opened at 8:15 p.m. by Dr. Lederer, Chair.

Mr. Roche, via email dated October 31, 2017, requested a continuance to allow more time for him to work on the sewer easements.

On a motion made by Ms. Rich, seconded by Mr. Chisholm, it was voted unanimously at 8:16 p.m. to continue the public hearing to Monday, January 8, 2018, 7:35 p.m.

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**REQUEST FOR CERTIFICATE OF COMPLIANCE - DEP FILE #225-206
84 ORCHARD STREET – GLEN ELLEN COUNTRY CLUB
DAVID HAINES, HAINES HYDROGEOLOGIC CONSULTING**

A Request for Certificate of Compliance was filed by Glen Ellen Co., LLC, for an outdated Order of Conditions. Mr. Haines was unable to attend. Discussion will be scheduled on the December 4, 2017, agenda at 7:30 p.m.

**DEP FILE #CE225-0411, NOTICE OF INTENT, PUBLIC HEARING, CONT.
1525 MAIN ST., MAP 21, PARCELS 49 & 52
COMMERCIAL BUILDING/MEDICAL MARIJUANA DISPENSARY
ELLEN REALTY TRUST**

The public hearing continuation was opened at 8:20 p.m. by Dr. Lederer, Chair.
(Note: Since the time of the first hearing, an address was assigned by the Planning Board of #1525 Main Street.)

Mr. Daniel Merrikin of Merrikin Engineering, representing the applicant, presented the revised plans showing the one-story commercial building. He also submitted a letter, dated November 13, 2017, in regards to the flood plain issues as requested by the Commission.

On a motion made by Ms. Krinsky, seconded by Ms. Rich, it was voted unanimously at 8:25 p.m. to close the public hearing.

On a motion made by Mr. Lee, seconded by Ms. Rich, it was voted unanimously to approve an Order of Conditions, with Special Conditions, for 1525 Main Street, DEP File #CE225-0411, Ellen Realty Trust.

**REQUEST FOR DETERMINATION OF APPLICABILITY, PUBLIC HEARING
10 PADDOCK LANE – JAMES A. LEDERER
REBUILD DECK & INSTALL PERMEABLE PATIO**

The public hearing was opened at 8:35 p.m. by Ms. Anne Rich, Vice Chair.
(Note: Dr. Lederer was recused as a Commission member for this hearing)

Dr. Lederer presented the application and drawings/photographs. He proposed rebuilding the existing deck (from 14' x 14' to 14' x 16') and installation of a patio (14' x 17') following permeable construction conditions. The Commission reviewed the information. If the proposed silt fence is not in place from the original Order of Conditions, Dr. Lederer must temporarily restore it within the area of ground disturbance.

On a motion made by Ms. Krinsky, seconded by Mr. Lee, it was voted unanimously at 9:00 p.m. to close the public hearing.

On a motion made by Mr. Chisholm, seconded by Ms. Rich, it was voted unanimously to approve a Negative 3 Determination of Applicability, with a Special Condition regarding the silt fence.

