

MILLIS PLANNING BOARD MINUTES

June 11, 2019

Room 229, Veterans Memorial Building, 900 Main St., Millis, MA

The meeting was called to order at 7:30 p.m. by Mr. Richard Nichols, Chair.

Members present: Richard Nichols, Chair
Nicole Riley, Clerk
George Yered
James McKay
Bodha B. Raut Chhetry
Joshua Guerrero, Associate Member

Melissa Recos, P.E., BETA Group

Members Absent:

Also present: Scott Fuzy, 411 Union St.
Robert Fox, Plymouth, MA
Dan Merrikin, PE, Legacy Engineering
Jody & Jake Grainger, 9 Klifford Circle
Loring Barnes, 191 Curve St.
Jessica Monty, 9 J William Heights
Jay Krampitz, 9 J William Heights
Janet Slayton, 222 Causeway St.
Tim Farrar, 7 Rolling Meadow Dr.
Sarah Fong, 12 Rolling Meadow Dr.
Skip Coppola, 14 Crestview Dr.
Leah Corcoran, 209 Curve St.
Al Kavanaugh, 10 J William Heights
Bob & Sheila Kedski, 51 Cottage Ave.
Leslie Burnes, 25 Crestview Dr.
Bob & Carolyn Gentile, 26 Crestview Dr.
Brent & Sharon Aigler, 3 Dale Ave.
Bud Shropshire, Buddy Kearney Lane
Lois Wiggins, 8 Dover Rd.
Frank & Terry Rezzuti, 29 Buddy Kearney Lane
Bob Davis, 7 J William Heights
Jessica Pelon & Chris Myles, 521 Main St.
GuruSiwan S. Khalsa, 10 Buddy Kearney Lane
Mitch Bobinski, 26 Cottage Ave.
Michael Shaw, 9 Union St.
Heather Shaw, 9 Union St.
Judi Handel, 11 J William Heights
Alan Handel, 11 J William Heights
Colin Lancey, 42 Cottage Ave.
Megan Lancey, 42 Cottage Ave.
Julie Philpott, 5 J William Heights
Andy LeBlanc, 22 Winter St.
Sean Doherty, 10 Cottage Ave.
Erin LeBlanc, 22 Winter St.

Kevin Cullinane, 61 Union St.
Thomas Carlisle, 40 Cottage Ave.
Joseph B. Caffrey, 32 Winter St.
Andrew Manning, J William Heights
Dianne Reed, 545 Main St.
Chris Miles, 521 Main St.
Atty. Andrew Jepsky, Jepsky & Sack, Franklin, MA

SPECIAL PERMIT/OPEN SPACE PRESERVATION SUBDIVISION, PUBLIC HEARING, CONT.

RIDGE STREET/ROLLING MEADOW DRIVE - TD DEVELOPMENT, LLC

The public hearing continuation was opened at 7:32 p.m. with notice being read by Ms. Riley, Clerk.

Mr. Merrikin presented a “Progress Print” of the Open Space Preservation layout design for the proposed subdivision. He stated that they are still working on calculating the Open Space, based on information provided by BETA’s wetlands consultant regarding buffer zone definitions. Mr. Merrikin said that the Conservation Commission regulations differentiate between the 50-foot outer buffer zone and 50-foot inner buffer zone. They are working on applying the regulations to the calculations and still think the Open Space Development is a viable option; there may be 43 or 44 lots proposed. Ms. Recos of BETA Group stated that in their experience with other towns, Mr. Merrikin’s calculation is a conservative one and other towns do not even use buffer zones. A new plan will be presented, Mr. Merrikin said.

Mr. Merrikin stated that a conventional subdivision layout would propose 48 lots and no Open Space. The Open Space plan “has changed a bit,” he said, however, they are not sure of access at this point. He stated that the purpose of this hearing is to determine if the proposed subdivision will be an Open Space Preservation Development or Conventional Subdivision. The next step would then be the Definitive Subdivision approval process which will provide much more detailed information/design and “how that egress will operate.” Mr. Merrikin is still working on how the access road out to Ridge Street is going to work. He said that single-family homes with sidewalks on one side and roadways 26’ wide, as required, will be designed. The Open Space Preservation Development pertains to lot size and they still are required to follow the Subdivision Rules & Regulations for roadways, etc. Mr. Merrikin explained that the Open Space can be deeded to the Town or retained by the Homeowner’s Association.

There were comments from those in attendance regarding traffic and pedestrian safety concerns. Mr. Farrar expressed concern over increased traffic through the neighborhood of Rolling Meadow. Mr. Yered suggested that the residents meet with the Police Chief and Board of Selectmen to “limit times for roadway usage.” Attendees expressed great concern regarding issues, in part, over the amount of homes in the proposed subdivision; increased traffic and roadway safety; water and sewer capacity; ingress and egress points; and pedestrian safety. Mr. McKay stated that the Board of Selectmen had already

approved water for this area and that the Town “has plenty of water to handle this development.”

Ms. Barnes requested that the Board approve a Conventional development and not allow any waivers yet. She requested that the Police Chief be allowed time to weigh in on safety issues and that a traffic study be conducted. She questioned the safety of exiting from the subdivision to a “blind corner” and Curve Street will be most adversely impacted, she said. Ms. Barnes stated that the Conventional Subdivision layout more equitably dispenses traffic and the Open Space Preservation Development “should be looked at with scrutiny for what it really is.”

Some questioned how the Planning Board could approve such a project. Mr. Nichols explained that the property in question is privately owned and developers/owners have a right to develop their properties. It is the mission of the Planning Board to ensure that Zoning Bylaws and Subdivision Rules & Regulations are adhered to. Ms. Riley stated that anything that comes before the Planning Board has to follow the Town’s Zoning Bylaws. Every law in the book is there due to Town Meeting votes and it is not the Board’s jurisdiction to halt or not allow development of properties, she said.

Mr. Merrikin stated that the point of the Open Space Development is to eliminate the footprint of development in a reasonable way. A traffic study will be performed and presented during the Definitive Subdivision process. If the Planning Board is not inclined to approve the Open Space design, a Conventional layout will be pursued, he said. In his opinion, an Open Space layout provides less road/less pavement, in addition to more open space. Mr. Merrikin requested a continuance to allow time to revise the Open Space Development layout plan.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to continue the public hearing at 8:12 p.m. to Tuesday, July 9, 2019, 8:00 p.m.

SPECIAL PERMIT/OPEN SPACE PRESERVATION SUBDIVISION, PUBLIC HEARING

MAIN STREET/COTTAGE AVE. – WOODLAND, LLC (TRESKA)

(Note: Mr. Nichols recused himself from this public hearing.)

The public hearing was opened at 8:13 p.m. with notice being read by Mr. Yered, Acting Clerk.

Mr. Merrikin of Legacy Engineering, representing the applicant, presented the application and “Woodlands Preliminary Subdivision Plans.” The proposed project is for creation of a 44 lot Open Space Preservation Development subdivision. The project site includes the development of ten parcels on the southeastern side of Environmental Drive and railroad tracks, between Crestview Drive and Cottage Avenue. Access points are all main roads, he said. A conventional subdivision layout was also presented. Mr. Merrikin is seeking approval of an Open Space Development. He will then prepare and file a Definitive Subdivision Plan Approval request which will provide more detailed information.

Mr. Merrikin discussed the three zoning districts with varying criteria which make up the proposed subdivision. He stated that 19.8 acres will be set aside as open space and 6.2 acres of other parcels will contain drainage structures, but left as open space. With an Open Space layout, Mr. Merrikin said, it is a “legal mechanism to preserve woodlands.” There is no preservation of Open Space in the conventional layout. A wooded buffer will be left for homes in J William Heights, Mr. Merrikin said. According to Mr. Merrikin, the applicant is open to suggestions on providing an athletic or soccer field with parking in the area of the gravel pit. If the Planning Board approves such a proposal, the athletic field would go through a separate approval process from the subdivision approval.

Ms. Recos of BETA Group, the Planning Board’s consulting engineers, discussed her review letter, dated May 30, 2019. Mr. Merrikin will prepare a written response to the comments.

Mr. Doherty, an abutter to the project, stated that there are no trees on the designated Open Space area; “it is an old open pit,” he said; “It appears they are trying to jam everything in rather than spread out the development.” Mr. Doherty stated that he met with other neighbors and they are not in favor of the development due to traffic and many other concerns. There was discussion regarding whether or not the “gravel pit” should be considered “open space.” Mr. Shropshire, long-time Millis resident, provided a history on the area proposed for development. He expressed concern, in part, over traffic, road width, and the access point on Buddy Kearney Lane. Mr. Merrikin stated that there “would be no taking of private property;” road improvements/widening would be in the existing roadway. Suggestions were made by various abutters/residents as to other points of ingress and egress. Many in attendance expressed concern over the interruption of peace and tranquility in their neighborhoods due to increased traffic; during construction as well as once the development is complete. Many considered the merge on Main Street to be “dangerous.”

Mr. Handel stated that the developer should have approached the abutters to the project first. He read portions of the Open Space Preservation Bylaw, Conditions of Approval section, and stated that this proposal is “clearly detrimental to all neighbors.” Mr. Handel stated that he drafted his own plan and submitted a copy to the Planning Board. Mr. Merrikin stated that there are multiple access points and they have to look at which ones are “most appropriate.” Island Road is the least appropriate as it is a gravel road, he said. He stated that he did look at Mr. Handel’s sketch; however, he cannot cater his design to ideas from homeowners/others. Ms. Reed and others asked the developer to seriously consider their concerns and “listen to the people who actually live there.” Some residents stated that they were more in favor of the Open Space Preservation layout rather than the Conventional Subdivision design.

Mr. Merrikin stated that a traffic study and more detailed plans would be provided during the Definitive Subdivision approval process. Lot shapes are driven by the Zoning Bylaws. There is no requirement for a wildlife study. Mr. Merrikin provided a potential timeline and stated that this is the beginning on a long permitting process.

To allow Mr. Merrikin time to make revisions and prepare his response letter to BETA's comments, he requested a continuance.

On a motion made by Ms. Riley, seconded by Mr. McKay, it was voted unanimously to continue the public hearing at 9:40 p.m. to Tuesday, July 9, 2019, 8:20 p.m.

SPECIAL PERMIT/SITE PLAN APPROVAL, PUBLIC HEARING
1475, 1485 & 1512 MAIN STREET – MERIT HILL CAPITAL

The public hearing was opened at 9:46 p.m. with notice being read by Ms. Riley, Clerk.

Mr. Merrikin, representing the applicant, presented the application and plans. The proposed project is for demolition of all existing buildings and paved areas at 1475/1485 Main Street to construct a new three-story self-storage building and a single-story self-storage building at 1512 Main Street. Both sites also propose associated driveways, parking areas, stormwater management system, utility connections, and landscaping.

Mr. Merrikin stated that he is working on a response to BETA's review letter, dated June 6, 2019. He stated that an application was made to the Zoning Board of Appeals based on issues raised by BETA. Mr. Merrikin discussed parking briefly and stated that the 106 parking spaces that would be required are not necessary and what he proposed is adequate for the use. Trees all along the frontage are proposed. Details on signage will be provided.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to continue the public hearing at 10:15 p.m. to Tuesday, July 9, 2019, 8:45 p.m.

Rockville Meadows
Age Qualifications/Exemption – Informal Discussion
Atty. Andrew Jepsky

The Planning Board met with Atty. Jepsky, at his request, for an Informal Discussion regarding the Age Qualifications/Exemption for Rockville Meadows. He stated that the Rockville Meadows Condominium board requested he meet with the Planning Board.

He requested/inquired as to whether the Board would allow an exemption to the Age Qualifications for his client's daughter, who is 50 years of age, to remain in the unit at Rockville Meadows with her mother to care for her due to ill-health. The Rockville Meadows Senior Residential Community Development Special Permit does not have the provision in their special permit, Atty. Jepsky stated.

The Planning Board was of the opinion that the exemption must be written in the Special Permit as stated in Section D., Age Qualifications, of the SRCD Bylaw. An option would be for the Rockville Meadows Homeowners Association to file a request for modification to the Special Permit to allow these types of exemptions.

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OTHER BUSINESS:

MINUTES

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to approve the regular session meeting minutes from June 4, 2019, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. Nichols, seconded by Mr. McKay and voted unanimously, the meeting was adjourned at 10:35 p.m.

Scheduled Planning Board Meetings: July 9, 2019
August 6, 2019

Respectfully submitted,

Camille Standley
Administrative Assistant