

MILLIS PLANNING BOARD MINUTES

August 13, 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, PE, BETA Group

Members Absent:

Also present: Scott Fuzy, 411 Union St.
Robert Fox, Benjamins Gate, Plymouth, MA
Dan Merrikin, PE, Legacy Engineering
Lisa Sellers, 1375 Main St. (Collt Mfg.)
Liselotte Ward, 1375 Main St.
Brock Gibian, Ecogy Energy (1375 Main St.)
Jacqueline Larson, Ecogy Energy
Jennifer Farrar, 7 Rolling Meadow Dr.
Kathleen & Rob Streck, 8 Rolling Meadow Dr.
Bud Shropshire, Buddy Kearney Lane
Alan Handel, 11 J William Heights
Bob Davis, 7 J William Heights
Lan Nguyen & Tae Kim, 27 Cottage Ave.

SPECIAL PERMIT MODIFICATION, PUBLIC HEARING, CONT.
1375 MAIN STREET – COLLT MANUFACTURING
PARKING LOT CANOPY SOLAR PROJECT, ECOGY ENERGY

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

Mr. Gibian of Ecogy Energy, representing the applicant, introduced the family members of Collt Manufacturing who support the proposed project on their property. He stated that the project will create revenue for Collt Manufacturing and amenities for their employees. Ms. Larson presented the revised plans based on comments from BETA. She stated that they will also be going before the Conservation Commission and Zoning Board of Appeals for the project.

Ms. Larson stated that a Stormwater Analysis was done for the Conservation Commission application and will be covered during their review. The canopies will not interfere with access for trucks to the loading docks, she said. LED lights will be installed under the canopies and will not interfere with other neighboring sites. Spec sheets regarding noise levels will be provided. Ms. Larson stated that the only

outstanding item is comment from the Fire Chief. She will follow up with him to review the latest revised plan.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously at 7:55 p.m. to close the public hearing.

**FORM A – APPROVAL NOT REQUIRED/ANR APPLICATION
RIDGE STREET MAP 20, PARCEL 25 - RIDGE STREET TRUST**

Mr. Merrikin, representing the applicant, presented the application and plan. The ANR subdivides the existing lots III and IV as shown on Plan Nos. 457 & 458 in Plan Book 205 into Parcels 1A and 1B. The existing Parcel A as shown on Plan No. 139 in Plan Book 294 is subdivided into Parcels 1C and 1D. All four parcels are unbuildable and not considered lots, Mr. Merrikin said. The application and plans meet the criteria for approval.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously (6-0) to approve and endorse an ANR plan entitled, “Ridge Street ANR Plan of Land In Millis, MA” (2 sheets) dated July 30, 2019, stamped and prepared by Paul J. DeSimone, PLS, Colonial Engineering, Inc. P.O. Box 95, Medway, MA 02053, finding the Form A in order and subdivision control not required.

**FORM A – APPROVAL NOT REQUIRED/ANR APPLICATION
18 RIDGE STREET – JOSEPH FAWKES**

Mr. Merrikin, representing the applicant, presented the application and plan. The ANR plan divides the existing Lot 5A into buildable Lot 5B and unbuildable Parcel 5C. The application and plan meet the criteria for approval.

On a motion made by Ms. Riley, seconded by Mr. Nichols, it was voted unanimously (6-0) to approve and endorse an ANR plan entitled, “18 Ridge Street ANR Plan of Land In Millis, MA” (1 sheet) dated July 31, 2019, stamped and prepared by Paul J. DeSimone, PLS, Colonial Engineering, Inc. P.O. Box 95, Medway, MA 02053, finding the Form A in order and subdivision control not required.

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

RIDGE STREET/ROLLING MEADOW DRIVE - TD DEVELOPMENT, LLC

The public hearing continuation was opened at 8:05 p.m. with notice being read by Ms. Riley, Clerk.

Mr. Guerrero discussed the provisions for approval under the Open Space Preservation Bylaw for a development.

Mr. Merrikin, representing the applicant, presented the latest revised plans. He stated that the Conventional Subdivision layout has gone from 48-lots to 45-lots. The Open Space layout has gone from 48-lots to 43-lots, he said, on the 61 acres with 39 acres of upland. Sixty-one acres will be designated Open Space, Mr. Merrikin stated. All

technical comments have been satisfied, he said. Ms. Recos agreed that all comments had been addressed.

Mr. McKay expressed concern regarding the strain on the infrastructure and resources in Town for a development of this size. He stated that he hopes the developer with work with the Town, either through the Planning Board or Select Board, on design entrances, traffic study impacts, etc. Mr. Merrikin said that if the Board grants approval of the Open Space design, he will move forward with a definitive design and new series of permits. Mr. Merrikin stated that a traffic study will be commissioned and presented during the Definitive Subdivision Application approval process.

On a motion made by Mr. McKay, seconded by Mr. Nichols, it was voted unanimously to close the public hearing at 8:18. Deliberation and vote will be scheduled on the 9/10/19 agenda.

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

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

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

The public hearing continuation was opened at 8:18 p.m. with notice being read by Mr. Yered, Acting Clerk.

Mr. Merrikin, representing the applicant, stated that all technical issues had been addressed. He reviewed his letter, dated August 8, 2019, regarding abutter comments/concerns. He stated that it is their opinion that Main Street provides the most appropriate access to the site and is proposed to serve as the main entrance to the development. A secondary access is proposed to be provided at either Buddy Kearney Lane or North Street. He stated that a traffic study will be provided as part of the Definitive Subdivision Approval application and the second access point can be discussed/decided then. Buffer areas were discussed. Mr. Merrikin stated that under the Open Space layout, “about half the site will be Open Space or not developed.” Mr. Handel stated that although he is “in favor” of an Open Space Plan, he is not in favor of the Open Space plan presented.

Mr. Kim stated that he preferred the Conventional Subdivision plan and expressed concern over traffic being “dumped out to Main Street.” He, and others, raised concerns over current traffic issues on Route 109, along with increased traffic on the other roadways in the development. Ms. Riley stated that traffic issues; ingress and egress, etc. would be discussed once the traffic study was completed during the Definitive Subdivision Application approval process.

On a motion made by Mr. McKay, seconded by Ms. Riley, it was voted unanimously to close the public hearing at 9:03 p.m. Deliberation and vote will be scheduled on the 9/10/19 agenda.

SPECIAL PERMIT/SITE PLAN APPROVAL, PUBLIC HEARING, CONT.

1475, 1485 & 1512 MAIN STREET – MERIT HILL CAPITAL

The public hearing continuation was opened at 9:08 p.m. with notice being read by Ms. Riley, Clerk.

Mr. Merrikin, representing the applicant, presented the revised plans for the two self-storage buildings project. He stated there were only a few minor changes. The Zoning Board of Appeals and the Conservation Commission have issued permits for the project, he said. Ms. Recos confirmed that all issues had been addressed. There were no further questions.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to close the public hearing at 9:17 p.m.

On a motion made by Ms. Riley, seconded by Mr. Nichols, it was voted unanimously (6-0) to grant to the Applicant, Merit Hill Capital, a Special Permit for Site Plan Approval, with Conditions, for properties located at 1475, 1485 and 1512 Main Street. The site and the approved improvements are depicted on a twelve-sheet plan set entitled “1475/1485/1512 Main Street, Site Plan of Land in Millis, Massachusetts”, dated May 17, 2019 with a final revision date of July 16, 2019 prepared by Legacy Engineering LLC.

REQUEST FOR WAIVER OF SITE PLAN REVIEW/APPROVAL

376 ORCHARD STREET – SPARKHAWK ACADEMY

GARAGE RENOVATION

Mr. George O’Neill, representing the applicant, requested a waiver of site plan approval for renovation of the existing 3-car garage on site for use as classroom space at Sparkhawk Academy.

The Board reviewed the plan submitted entitled, “Sparkhawk Academy Main Building Renovation, 376 Orchard Street, Millis, MA, 02054, Proposed Site Plan,” dated July 29, 2019.

On a motion made by Ms. Riley, and seconded by Mr. Nichols, it was voted unanimously, pursuant to Section XIII (Special Permit Conditions) C., of the Town of Millis Zoning By-laws, to waive the requirements of Site Plan Review for Sparkhawk Academy, Mill Brook School Foundation, Inc., 376 Orchard Street, for garage renovation.

OTHER BUSINESS:

**ACORN PLACE SRCD – ADMINISTRATIVE MODIFICATION TO DECISION
RE: AGE QUALIFICATIONS**

This amendment was initiated at the request of the Planning Board to address certain administrative matters.

On a motion made by Mr. Nichols, seconded by Mr. McKay, by a unanimous (6 to 0) vote, the Board grants the Administrative Amendment/Modification of the Acorn Place Senior Residential Community Development Special Permit Decision by modifying Condition #6 to read as follows:

6. As described in the draft master deed submitted by the applicant, all dwelling units shall be subject to an age restriction limiting dwelling units to occupancy by seniors, age fifty-five (55) or older, or their spouses of any age. Time-limited guest visitation rights in the range of three months per year can be allowed in said restrictions. In addition to these other provisions, a special exception is granted to allow up to one person at least twenty-two (22) years of age to live in a dwelling unit together with a senior resident for purposes such as care of that senior or enabling that senior to fulfill legal responsibilities of guardianship or custody. In the event of the death of the qualifying owner/occupant(s) of a dwelling unit, or foreclosure or other involuntary transfer of a unit, a two-year exemption to the restriction is allowed for the transfer of the unit to another eligible occupant. Prior to the issuance of any occupancy permits, the applicant shall submit proof of recording of the master deed and condominium documents containing these restrictions in a form acceptable to Town Counsel. Nothing within this condition shall be deemed to conflict with the provisions of state and/or federal law provisions with respect to senior housing.

**“REGENCY AT GLEN ELLEN” – TOLL BROTHERS
PHASE I BOND AMOUNT**

The Board reviewed the Phase I Bond Estimate prepared by BETA Group, dated July 17, 2019. Ms. Recos stated that BETA recommends a Construction Cost Bond Estimate for Phase I in the amount of \$1,744,103.00.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to set the Phase I Bond amount to \$1,744,103.00 for Toll Brothers/Toll MA Land III Limited Partnership, for “Regency at Glen Ellen.”

**DELIBERATION/VOTE: MODIFICATION TO SPECIAL PERMIT/SITE PLAN
1375 MAIN STREET – PARKING LOT CANOPY SOLAR – ECOGY ENERGY**

The Board reviewed the application and plans.

On a motion made by Mr. Nichols, seconded by Mr. McKay, it was voted unanimously (6-0) to grant a Modification/Amendment to Special Permit/Site Plan Approval, with Conditions, for installation of a 219kW DC, 199.8 kW AC community solar photovoltaic

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

(PV) parking lot canopy system in the existing parking lot of the Collt Manufacturing building located at 1375 Main Street (Route 109).

PRESENTATION GUIDELINES – DISCUSSION

Mr. Nichols presented suggested “presentation guidelines” for future meetings. The Board discussed the guidelines. Although overall in favor, it would depend on the project. Mr. Nichols stated that the guidelines are more appropriate for “large-scale projects.” The Board was of the opinion that the guidelines will serve as “recommendations” and not mandatory for every applicant. Some revisions will be made to the guidelines and they will be reviewed at the September 10, 2019, meeting.

MINUTES

On a motion made by Mr. Nichols, seconded by Mr. Yered, it was voted unanimously to approve the regular session meeting minutes from July 9, 2019, as written.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to approve the meeting notes from August 6, 2019, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. Nichols, seconded by Ms. Riley and voted unanimously, the meeting was adjourned at 9:47 p.m.

Scheduled Planning Board Meetings: September 10, 2019
October 8, 2019

Respectfully submitted,

Camille Standley
Administrative Assistant