

MILLIS PLANNING BOARD November 9, 2021
MEETING MINUTES
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
 Alan Handel
 George Yered

 Melissa Recos, PE, BETA
 Katelyn Burke, EIT, BETA

Members Absent: Bodha B. Raut Chhetry
 Joshua Guerrero, Associate Member

Also present: Tom & Nuala Barner, 2 Acorn Place
 Pat Cannata, 13 Acorn Place
 Bob & Barbara Murphy, 34 Acorn Place
 Lynn Goldberg, 6 Acorn Place
 Donna Mulhane, 18 Acorn Place
 Mary Webster, 16 Acorn Place
 Joanne Griffin, 15 Acorn Place
 Maria & Paul Newman, 14 Acorn Place
 Mary Lou Thie, 9 Acorn Place
 Eric Dubrule, Bohler Eng., 352 Turnpike, Southboro
 Eric Wagner, McDonald's Construction, Stoughton, MA
 Karen G. McVay, 29 Acorn Place
 Maureen Daley, 31 Acorn Place
 Nan & Roger Hughes, 4 Acorn Place
 Catherine Troy, 8 Acorn Place
 Rich & Barbara Campbell, 11 Acorn Place
 Alice Sroka, 7 Acorn Place
 Charles Kerafofiat, 32 Acorn Place
 Sandra Kuhn, 48 Acorn Place
 Alexis Price, 10 Acorn Place
 Bernard T. Price, 10 Acorn Place
 Debi & John Bering, 25 Acorn Place
 Joanne & Richard Wise, 20 Acorn Place
 Christine Moan, 23 Acorn Place
 Linda Macfarlane, 21 Acorn Place
 Denise & Bill Buckley, 22 Acorn Place
 Chris Andriotes, 29 Pearl St.
 Michael Giampietro, Building Inspector
 Daniel Merrikin, Legacy Engineering
 Robert Fox, 38 Benjamins Gate, Plymouth
 Atty. Scott Eriksen, Perkins & Anctil

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SPECIAL PERMIT APPLICATION FOR/WITH SITE PLAN APPROVAL
PUBLIC HEARING – 808 MAIN STREET MCDONALD’S

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

Mr. Dubrule of Bohler Engineering, representing the applicant, presented the application and plans. This application is a re-submittal after re-design of architectural plans. The applicant proposes to demolish the existing building to construct a new McDonald’s restaurant with a side-by-side drive-thru, and associated site alterations. Thirty-seven parking spaces will be provided.

Ms. Recos of BETA, the Planning Board’s peer consultant, summarized their review letter, dated November 3, 2021. Signage was discussed. Trees were discussed. If the applicant requests that the number of trees be waived due to site distance/safety concerns, the waiver request must be in writing. Typically, a donation to the town’s Tree Fund can be made in lieu of all trees required being planted. The Stormwater and O & M Plan is to be updated.

The applicant will respond in writing to BETA’s comments.

There were no further questions or comments.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously at 8:03 p.m. to continue the public hearing to Tuesday, December 14, 2021, 7:40 p.m.

ACORN PLACE SENIOR RESIDENTIAL COMMUNITY DEVELOPMENT
INFORMAL DISCUSSION

(Note: Mr. Yered recused himself from this discussion.)

Atty. Eriksen stated that his firm was engaged by a number of unit owners at the Acorn Place Condominium Association. The owners are working on shifting from “developer control to owner control.” Mr. Eriksen provided the Board with a copy of a “Notice of Demand for Documentation” letter, dated November 1, 2021, to the developer’s attorney. Mr. Eriksen summarized some of the areas of concern such as: the access road which owners felt was meant to be a “second access” to the development. This road is not well maintained, he said, and was not plowed last year. Stormwater and operation of the basin is a concern as water is getting into basements. Mr. Eriksen requested that the Board follow up to be sure drainage is in compliance with what was permitted. Driveways and sidewalks need to be repaired. The current paving is a risk for residents, he said.

Mr. Nichols stated that the emergency access road was always designed as such and was never intended to be a second entrance/exit to the development. Mr. Eriksen proposed that the Board consider additional modifications to the access road, such as a more stable surface for emergency vehicles to travel over.

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Ms. Recos of BETA stated that extra steps were taken on the project as far as Stormwater Management. A Construction Observation Report, dated October 29, 2021, was prepared by BETA and Mr. Merrikin is currently working on addressing the issues.

Mr. Merrikin, representing the developer, stated that Acorn Place is “an active construction site” and there are a number of open issues. They are working on investigating the drainage and have no objection to a gravel surface for the emergency access road.

Numerous residents of the development expressed their concerns. Issues such as lack of accessibility to the access road causing potential safety issues and drainage/flooding were described. There was concern over building/construction materials blocking the access road which could prohibit emergency vehicles from entering.

Mr. Fox stated that he would “take care of the road immediately” and remove the storage boxes and any other materials stored there. He said they will grade it and gravel the road if the Planning Board requests it. Mr. Handel requested that Mr. Fox commit to keeping the access road plowed during the winter and Mr. Fox said he “would absolutely do that.”

Mr. Merrikin stated that he is working on preparing as-built plans. Before the final occupancy permit is issued, as-built plans are required to be submitted for review, he said.

EMERSON PLACE DEFINITIVE SUBDIVISION
FIELD CHANGE REQUEST – GUARD RAIL

Mr. Merrikin presented his letter, dated October 27, 2021, wherein he requested a field change to the Emerson Place Definitive Subdivision. The field change was requested as the retaining wall designer indicated that it would be difficult to accommodate a guard rail location immediately adjacent to the retaining wall as proposed at the two wetland crossings. The field change would allow the proposed guard rail at the two crossings to be located in the grass strip as shown on the detail plans. This configuration also provides the added benefit of providing protection for pedestrians walking on the sidewalk.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was unanimously voted to approve the field change requested as written in the letter, dated October 27, 2021, and as shown on the Emerson Place “Sidewalk/Guardrail at Stream Crossings” and “Wood Guard Rail End Detail” plans, dated October 18, 2021, revised October 27, 2021.

ANN & HOPE RETAIL SPACE
725 MAIN STREET
WAIVER OF SITE PLAN REVIEW

Mr. Merrikin presented the waiver request as stated in his letter, dated November 6, 2021. He stated that a new warehouse tenant would like to move into the building complex. Two existing warehouse tenants will be relocated to the vacant spaces at the Anne and Hope retail space, and the existing warehouse space will be used by the new tenant; Imperial Distributors out of Worcester, MA. Other than removal of the existing exterior concrete ramp to access the existing

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overhead doors, no other site changes are proposed. Mr. Merrikin will work with the Building Commissioner on ADA standards.

On a motion made by Mr. Nichols, and seconded by Ms. Riley, it was voted unanimously (4-0), 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 725 Main Street.

OTHER BUSINESS:

PLANNING BOARD MEMBER RESPONSIBILITIES & EXPECTATIONS DISCUSSION

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted to adopt the draft of the “Town of Millis Planning Board Responsibilities and Requirements” document as amended. It will be sent to Town Counsel for review.

PROPOSED SPECIAL PERMIT CONDITION DISCUSSION – ALAN HANDEL

Town Counsel reviewed the proposed special condition to be included in certain project decisions. The purpose is to mitigate the concerns and frustrations of abutters and other local residents over noise, hazards, and inconveniences during development in Residential Zones/Districts. In an email from Town Counsel, dated October 13, 2021, it was noted that violations would be enforceable by a formal zoning enforcement request to the Building Commissioner. Therefore, the penalty portion of the condition was removed.

On a motion made by Mr. Nichols and seconded by Ms. Riley, it was unanimously voted to approve the addition of the revised special condition to the appropriate Planning Board Decisions.

MINUTES

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to approve the regular session meeting minutes from October 12, 2021, as written.

ADJOURN

There being no further business, on a motion made by Mr. Nichols, seconded by Ms. Riley, it was unanimously voted to adjourn the meeting at 8:52 p.m.

Scheduled Planning Board Meetings: December 14, 2021 (Room 229)
January 11, 2022 (Room 229)

Respectfully submitted,

*Camille Standley,
Administrative Assistant*