

**MILLIS PLANNING BOARD                      June 13, 2023**  
**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  
                              Joshua Guerrero  
                              Alan Handel  
                              George Yered, Associate Member

Melissa Recos, PE, BETA Group

Members Absent:     Bodha B. Raut Chhetry

Also present:           Wayne Foley, Callahan Construction  
                              Jen Zarutskie, 140 Causeway St., Millis Cultural Council  
                              David Golden, 28 Glen Ellen Blvd.  
                              Brian Funnell, 24 Charles Way  
                              Bob Fox, 28 Benjamins Gate, Plymouth  
                              Ted Cannon, Emerson Place

**REQUEST FOR WAIVER OF SITE PLAN REVIEW/APPROVAL**  
**ART SHOW TENT BETWEEN LIBRARY & NIAGARA FIREHOUSE**  
**JENNIFER ZARUTSKIE - MILLIS CULTURAL COUNCIL**

Ms. Zarutskie of the Millis Cultural Council presented the request for waiver of site plan review and approval email dated June 7, 2023, for the June 17, 2023, Art Show fundraiser.

As Ms. Zarutskie stated, they are seeking permission to have a 20' x 30' event tent erected on the green between the Millis Public Library and the Niagara Firehouse for an Art Show fundraiser to take place on June 17, 2023. The tent will be erected Friday, June 16, 2023, and removed no later than Monday, June 19, 2023.

A motion was made by Mr. Nichols, seconded by Ms. Riley, 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 the Millis Cultural Council for installation of a temporary event tent in the location stated above. The motion passed unanimously.

**“ANTHOLOGY OF MILLIS” ASSISTED LIVING FACILITY**  
**DOVER ROAD – CLOSE OUT OF SPECIAL PERMIT/BOND RELEASE**

Mr. Callahan requested that the project be closed out and the bond being held with the Board for landscaping be released.

Mr. Recos, of BETA, the Board's peer reviewer, summarized their findings. She stated that three items remain outstanding:

- employee parking signage versus staff parking has not yet been identified on-site
- the As-built must be revised to show the cottage swales
- a copy of the O & M Plan, signed by the current owners, should be submitted

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Mr. Foley stated that he has notified Anthology to get the signed O & M plan together.

On a motion made by Mr. Nichols, seconded by Mr. Guerrero, it was voted unanimously to close out the Special Permit for Anthology of Millis, pending completion of and review by BETA of the minor items/work listed above.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to release the bond in the amount of \$114,180.00 from the Anthology of Millis, MA/Callahan, Inc. and Western Security Company, pending completion of and review by BETA of the minor items/work listed above.

**“EMERSON PLACE” DEFINITIVE SUBDIVISION**  
**RIDGE STREET – INFORMAL DISCUSSION**  
**PHASE 1 BOND ESTIMATE/COVENANT MODIFICATION APPROVAL/BOND**  
**AGREEMENT**  
**ROBERT FOX/ ATTY. TED CANNON**

Atty. Cannon stated that a small section of May Road near Rolling Meadow Drive is on registered land. This will prove problematic for Mr. Fox to grant easement rights to the Town. A petition was filed with Land Court to withdraw the land in question from registered land and they are waiting for them to act on the petition.

Atty. Cannon presented the document entitled, “Partial Release and Modification of Covenant.” He said that this document allows Lots 5, 6, 29 and 30 to remain held under the recorded Covenant until such time as Mr. Fox can grant to the Town the necessary easements. This document has been reviewed and approved by Town Counsel.

On a motion made by Mr. Nichols, seconded by Mr. Guerrero, it was voted unanimously to approve and sign the document entitled, “Partial Release and Modification of Covenant” from TD Development LLC, presented and signed by Mr. Robert Fox, dated June 13, 2023.

Ms. Recos of BETA, the Board’s peer reviewer, summarized BETA’s bond estimate for Emerson Place Phase I (May Road), dated June 12, 2023. There was discussion regarding materials on-site and possible credit for items. Mr. Merrikin updated the Board on the status of some of the work. He stated that “Retaining Wall #4” will be done next month and requested that the \$180,000.00 be reduced.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted to set the Emerson Place Subdivision Phase 1 Bond to an amount of \$1,137,264.00. The motion passed unanimously.

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**ACORN PLACE SRCD – DETENTION BASIN UPDATE/RESOLUTION DISCUSSION**  
**ROBERT FOX/DANIEL MERRIKIN**

Mr. Fox stated that due to litigation, work has been delayed. He has a “punch list” of items needing to be done.

Mr. Nichols stated that the modification to the detention basin must be completed as soon as possible. This issue has been ongoing for a long time and the Board wants it resolved, he said. According to Mr. Merrikin, the installation of a subdrain to both basins provides a potential solution. BETA is in favor of the proposed Stormwater Basin Modifications submission, dated June 6, 2023.

**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 May 9, 2023, 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 8:19 p.m.

Planning Board Meetings:     July 11, 2023  
   August 8, 2023  
   September 19, 2023

*Respectfully submitted,*

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*Camille Standley, Administrative Assistant*