

**MILLIS PLANNING BOARD                      February 6, 2024**  
**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  
                              James McKay  
                              George Yered, Associate Member

                              Michael Carter, P.E., GCG Associates  
                              Atty. Elizabeth Lydon, Town Counsel

Members Absent:     Bodha B. Raut Chhetry

Also present:           Alex Koppelman, MAPC, 84 Clarendon Ave., Lynn, MA  
                              John Cruz, MAPC, 169 Elm St., #1, Everett, MA  
                              Madeline Yusna, 93 Dover Rd.  
                              Robert Weiss, 900 Main St.  
                              Kathy Lannon, 6 Cedar St.  
                              John McVeigh, Board of Health  
                              Michael Dolan, One Financial Place, Boston, MA  
                              David W. Campbell, 31 Leonard Rd., E. Sandwich, MA  
                              James Fitzgerald, P.E., Chappell Engineering Assoc., 14 Concetta Way,  
                              Franklin  
                              Richard Biggins, 972 Main St., Mobil  
                              Richard Campbell, 11 Acorn Place  
                              Lara Kuhn, 47 Acorn Place  
                              Steve Kardon, 33 Acorn Place  
                              Tom Williams, 45 Acorn Place  
                              R. McCracken, 32 Acorn Place  
                              Ron Qualia, 39 Acorn Place  
                              Richard G. Tufts, 38 Acorn Place  
                              Sandra Lally, 28 Acorn Place  
                              Fred Dalrymple, 17 Acorn Place  
                              Jignesh Patel, 1105 Main St.  
                              Daniel Merrikin, P.E., Legacy Engineering  
                              Sham Rang Khalsa, 151 Acorn St.  
                              Barbara Murphy, 34 Acorn Place  
                              Barbara Campbell, 11 Acorn Place  
                              Daniel Merrikin, P.E., Legacy Engineering, 730 Main St.  
                              Robert Fox, Acorn Millis Residential, LLC  
                              Atty. Edward Cannon, Franklin

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**SPECIAL PERMIT/SITE PLAN APPROVAL MODIFICATION APPLICATION,  
PUBLIC HEARING, CONT., 972 MAIN STREET, MOBIL**

The public hearing continuation was opened at 7:31 p.m. with notice being read by Ms. Riley, Clerk.

Mr. Biggins, representing the applicant, presented the modification application for signage changes at the Mobil station. They are proposing to change the numbers on the gas and road signs to LED light, on both sides, for a cleaner, updated look, he said. Signage at the pumps is also proposed.

Mr. Carter of GCG Associates, the Board's peer reviewer, summarized his comment letter. Mr. Biggins stated that the applicant will change the green and red lights proposed to all white LED digits as requested. They will also remove the wording from the blade signs proposed. Mr. Biggins stated that the signs can be turned off during non-working business hours.

There was discussion regarding updating the Town's signage bylaw as times have changed. While some Board members had no issues making an exception to the bylaw, others were not comfortable doing so. Ms. Riley stated that if the Planning Board wishes to revise the signage bylaw, it needs to be a priority.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was unanimously voted at 7:52 p.m. to close the public hearing.

On a motion made by Mr. McKay and seconded by Ms. Riley, with Mr. Yered, Mr. McKay, Ms. Riley, and Mr. Nichols voting in the affirmative, and Mr. Handel voting negative, the Board voted to grant the Applicant, Global Companies LLC., Site plan approval, with conditions, for the signage modifications at 972 Main Street, Mobil.

**SPECIAL PERMIT/SITE PLAN APPROVAL APPLICATION, PUBLIC HEARING,  
CONT., 121 NORFOLK RD.**

The public hearing continuation was opened at 7:54 p.m. with notice being read by Ms. Riley, Clerk.

Town Counsel, Elizabeth Lydon, summarized what the Planning Board's jurisdiction is in relation to the application filed. She stated that the Planning Board should be reviewing the wireless communications tower under the current bylaw and applicable sections of the bylaw (Section N. Personal Wireless Communications Facilities). Section 704 of the Federal Telecommunications Act, she said, prohibits local authorities from regulating cell tower citing based directly or indirectly on environmental impacts of radio frequency emissions that comply with applicable federal regulations. The Planning Board can only look at what is enumerated under the bylaws and review the construction, site, etc. Environmental health and safety issues are not the purview of the Planning Board.

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Atty. Dolan, representing the applicant, presented the application for proposed construction of a 150' above ground level monopole-style communications tower. He stated that the Town of Millis issued an RFP for a telecommunications tower at 121 Norfolk Road. Wireless Edge has executed a lease with the Town of Millis Select Board. According to Atty. Dolan, there is "a gap in coverage" in this area and the facility will aid in public safety by helping to provide and improve wireless communication services in the area; including fire and police communication. He said that the top of the tower will be reserved for local police and fire antennas. Letters in support of the proposed communications tower have been provided by both Fire Chief Barrett and Police Chief Soffayer. Atty. Dolan stated that they believe that all requirements of the bylaw have been satisfactorily met.

Mr. Carter of GCG Associates, the Board's peer reviewer, summarized his comments. He stated his two main comments are regarding the drainage and the grading. Emergency access must be available, Mr. Nichols stated.

Mr. Fitzgerald of Chappell Engineering presented the site plan. He stated that they are trying to build the site with "limited disturbance." They wanted feedback on the drainage prior to a more detailed design. The applicant will revise the plans and provide more detailed drainage and grading. Landscaping for other than arborvitaes should be presented as well.

The "fall zone" was discussed. Mr. Carter noted that the "fall zone" extends onto private property. The applicant will contact the property owner for a "Letter of Consent," per Town Counsel's advice.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was unanimously voted at 8:27 p.m. to continue the public hearing to Tuesday, March 12, 2024, 7:30 p.m.

**MBTA COMMUNITIES RE-ZONING ACT  
UPDATE/PRESENTATION BY MAPC**

Ms. Riley, as a member of the MBTA 3A Advisory Committee, introduced Mr. Koppelman and Mr. Cruz from MAPC. They have been working with the Advisory Committee to work on drafting a bylaw for the MBTA Multi-family Zoning, as mandated by the State, for spring Town Meeting. Millis is considered an "MBTA adjacent" community.

Mr. Cruz presented a Power Point presentation of the MBTA zoning progress to-date, the proposed zoning district boundaries, the 3A District zoning regulations, and next steps. He stated that the underlying zoning districts remain.

Mr. Nichols stated that the Planning Board will need the final version of the proposed bylaw, reviewed by Town Counsel, on or before February 15, 2024, in order for the Planning Board to hold a public hearing on March 12, 2024.

**FIELD CHANGE REQUEST/MINOR MODIFICATION  
1105 MAIN STREET – ALPACA GAS STATION/HONEY DEW  
JIGNESH PATEL**

Mr. Patel, the new owner of the gas station and Honey Dew, presented his request for a minor field change to allow tables and chairs inside Honey Dew Donuts as shown on the sketch

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presented. The Board thanked Mr. Patel, the new owner of the development, for cleaning up the site. It was also requested that Mr. Patel replace the trees/plantings in the spring.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to approve the field change request to allow seating at Honey Dew.

**FORM A APPLICATION – SUBDIVISION APPROVAL NOT REQUIRED (ANR PLAN)**  
**151 ACORN STREET – RAM SHANG KHALSA**

Mr. Merrikin of Legacy Engineering, representing the applicant, stated that the ANR reconfigures two existing parcels to create two lots. According to Mr. Merrikin, the creation of Lot #3 is for the applicant's daughter. Each lot depicted on the plan has the requisite lot area and frontage on Acorn Street. All criteria for ANR approval has been met.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously (5-0) to approve and endorse an ANR plan entitled, "A.N.R. Subdivision Plan of Land in Millis, MA" (1 sheet) dated January 21, 2024, stamped by Anthony M. Dellorco, PLS, Colonial Engineering, Inc., P.O. Box 95, Medway, MA 02053, finding the Form A in order and subdivision control not required. The Planning Board found that the land shown on the accompanied plan does not constitute a subdivision within the meaning of the Subdivision Control Law, and therefore approved and endorsed the plan accordingly.

**ACORN PLACE SENIOR RESIDENTIAL COMMUNITY DEVELOPMENT**  
**SPECIAL PERMIT EXTENSION REQUEST - ROBERT FOX**

Atty. Cannon, representing the applicant, presented the extension request letter, dated January 24, 2024, from Daniel Merrikin of Legacy Engineering. The applicant also submitted partial as-built plans. The permit expiration date is February 24, 2024. The applicant is requesting a one-year extension to February 24, 2025. According to Atty. Cannon, there is "a little bit of infrastructure work to be done." He stated that although the applicant is requesting a one-year extension, the work will "hopefully be done sooner." Atty. Cannon said that the work is going to get done, with or without the Special Permit.

Mr. Nichols stated that the as-built plans will need to be reviewed, along with the stormwater basin correction work. The Board would like any work completed sooner than one year's time to close out the project. The Board will work with the applicant on a month-to-month basis to close out the project. Also requested by the Board was a schedule, in writing, of anticipated completion of tasks. A final as-built plan will be a requirement for a future extension as well.

Mr. Kardon, President of Acorn Place Board of Trustees, provided a list compiled of items to complete. He stated that the residents want the work to be completed as soon as possible and would prefer month-to-month permit extensions.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was unanimously voted to extend the Special Permit decision for thirty-six (36) days to the next Planning Board meeting date of March 12, 2024.

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**OTHER BUSINESS:**

**RATIFY FY2025 PLANNING BOARD BUDGET**

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to approve FY2025 Planning Board budget as prepared.

**MINUTES**

On a motion made by Ms. Riley, seconded by Mr. McKay, it was voted unanimously to approve the regular session meeting minutes from December 5, 2023, as written.

On a motion made by Ms. Riley, seconded by Mr. Handel, it was voted unanimously to approve the regular session meeting minutes from January 9, 2024, 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 9:23 p.m.

Planning Board Meetings:    March 12, 2024  
   April 9, 2024

*Respectfully submitted,*

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*Camille Standley, Administrative Assistant*