

MILLIS PLANNING BOARD MINUTES

October 8, 2019

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

The meeting was called to order at 7:31 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.
David Baker, 2 Holbrook Way
Sergio Verrino, 1073 Main St.
Pete D'Agostino, 1073 Main St.
Ka-yung Wong, 1073 Main St.
Kwong Chan, 1073 Main St.
Tom Chung, 1073 Main St.
Mark Goldberg, 1073 Main St.
Darrin Grephy, 1073 Main St.
WeiMing Tan, 1073 Main St.
Francisco Wartz, 1073 Main St.
Brian Greeley, 1073 Main St.
Ed Jacobs, JDE, 227 Causeway St.
Greg Driscoll, JDE, 227 Causeway St.
Stephen Silver, 227 Causeway St.
Wayne & Barbara Hansen, 215 Causeway St.
Penelope Hansen
Janet Slayton
Jeff Hansen
Nathan Maltinsky, Millis Historical Comm.
Lauren & Tom McNamara
Mitch Bobinski, 26 Cottage Ave.
Sam Coppola, 34 Exchange St.
Robert Sullivan, 34 Exchange St.
Tom Barrett, 34 Exchange St.

SPECIAL PERMIT/SITE PLAN APPROVAL, PUBLIC HEARING
1073 MAIN STREET – 617 THERAPEUTIC HEALTH CENTER, INC.

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

Mr. Baker, representing the applicant, presented the application and plans for the proposed project. He stated that the engineer from Beals & Thomas who was scheduled to present the application had a family emergency and not able to attend. Mr. Baker provided a history of the 1073 Main Street building/property (GAF building). The site

location is approximately seventy one acres with an existing 72,000 SF single story block and metal panel warehouse building and associated paved parking and storage area. He stated that the goal is to re-use the existing building to support a marijuana cultivation facility. Improvements proposed include interior modifications to the building and site improvements of parking lot striping, security fencing, a 2,500 SF building addition and placement of mechanical equipment within the existing parking area. The project as proposed uses existing driveways, parking areas, stormwater management system and utility connections. Mr. Baker stated that the interior layout is intentionally not detailed for security purposes.

There was discussion regarding parking. BETA Group, the Planning Board's peer reviewer, had noted that more parking was needed. Beals & Thomas feels that parking is adequate, but more spaces can be added if required, Mr. Baker said. A waiver can also be requested by the applicant to address the parking. Mr. Baker stated that when the applicant applies for a Land Use permit, more detailed construction plans will be provided. According to Mr. Baker, it would be more appropriate to perform the odor and noise review through the Board of Health and Select Board during the construction and design phase. Since that detail is not shown on the site plans, he requested that requirement be a condition of approval should the Planning Board approve the application.

Mr. Baker stated that there will be a three to five year build-out, with phased construction, working back to front. A security plan is provided and according to Mr. Baker, the Police Chief is "OK with the proposal." It will include cameras, guards, and a very detailed security plan. The cultivation facility will be a twenty four hour operation, seven days a week; no holidays. Mr. Baker said they will also be filing with the Charles River Pollution Control District for discharge to the sanitary sewer.

Ms. Riley stated that a marijuana facility in Franklin had issues with odor control and she asked how this will be avoided/addressed in Millis. Mr. Baker stated that since the Franklin facility was built, the designs for odor control have changed and improved. He said they are very aware of the pitfalls and are "eager to submit those plans, but after permit approval." Mr. Nichols stated that when appropriate, another engineer who specializes in this field will review the plans. Again Mr. Baker requested that the odor and noise control review take place with the Board of Health and Select Board reviews.

Ms. Recos of BETA Group summarized her review letter, dated September 17, 2019. She stated that written waivers for the parking requirements, photometric plan submittal, and tree planting requirements should be submitted by the applicant. Ms. Riley stated that the waivers need to be submitted and voted on by the Board prior to closing the public hearing.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously at 8:39 p.m. to continue the public hearing to Tuesday, November 12, 2019, 8:00 p.m.

**APPLICATION FOR APPROVAL OF DEFINITIVE PLAN, PUBLIC HEARING
& SCENIC ROAD APPLICATION, CAUSEWAY ST., PUBLIC HEARING**

The public hearings were opened jointly at 8:40 p.m. with notice being read by Ms. Riley, Clerk.

Mr. Driscoll of Jacobs Driscoll Engineering, representing the applicant, presented the applications and plans. The proposed project is development of a 423-foot road subdivision with three house lots on Causeway Street. An existing stable on the property will be removed. In order to construct the roadway, Mr. Driscoll stated, a portion of the stone wall on Causeway Street needs to be removed and replaced. As Causeway Street is designated as a Scenic Road, an application was filed. Mr. Nichols stated that the portion of stone wall to be removed/replaced and any trees in the right-of-way must be marked in the field and on the plans. The Tree Warden will have to conduct a site visit once this is done. (Note: after the meeting it was determined that there were no trees to be removed as part of the Scenic Road application.)

Mr. McKay discussed an email from Lauren and Tom McNamara, dated September 30, 2019, wherein the water line for 215 Causeway Street was discussed. Mr. McKay recommended that the applicant run the new water line down Causeway Street and out of the right-of-way. It is believed that Mr. Hansen's (owner of 215 Causeway St.) water line, which was installed over sixty years ago, runs across the proposed new subdivision. The water service connection to 215 Causeway Street should be realigned at the applicant's expense to be entirely within the lot limits of 215 Causeway Street. Mr. McKay stated that this issue is under the purview of the Select Board and will be addressed with them.

Ms. Recos of BETA Group summarized her review letter, dated September 30, 2019. She requested confirmation that the structure proposed to be removed is not historic. Mr. Silver stated that there is no historical designation for the stable. The roadway width must also be confirmed with the Fire Chief, Ms. Recos stated.

Mr. Maltinsky, Chair of the Millis Historical Commission, spoke to the Scenic Road Application. He stated that the stone wall is a 269 year old wall and it would be "a shame to see the wall removed for development." Mr. Maltinsky stated that "the Millis Historical Commission is not in favor of having this wall removed." If permission is granted, he said, they would like to see some type of plan for remediation or something to enhance the beauty of the area.

Abutters to the project expressed concerns over drainage and infiltration issues. Also, flooding and water runoff concerns were raised. Mr. Nichols stated that BETA would address those issues in their review. Mr. Hansen stated that he is not in favor of the proposed project. Tree removal was discussed. Mr. Driscoll stated that they "hope" to remove only those trees needed for the houses. The applicant proposes to keep screening between the properties.

On a motion made by Mr. Nichols, seconded by Mr. Yered, it was voted unanimously at 9:20 p.m. to continue the public hearings to Tuesday, November 12, 2019, 8:20 p.m.

34-36 EXCHANGE STREET – MINOR PLAN MODIFICATION/FIELD CHANGE REQUEST (DRIVEWAY)

Mr. Sam Cappola, representing the applicant/owner, presented the modification to the site plan request regarding the driveway location. The Board reviewed the letter, dated September 20, 2019, from Mr. Daniel Merrikin of Legacy Engineering.

Mr. Cappola stated that the modification to the site plan is to shift the new two-way driveway to the center of the frontage and away from the Victory Lane building to improve site distance. Ms. Recos of BETA Group agreed that the modification does improve site distance with a favorable impact to pedestrian traffic. In an email from the Fire Chief, dated October 8, 2019, it was stated that he had previously discussed this change and prefers the modified design to the original. The Board was of the opinion that the site plan did not change substantially and the proposed modification improves safety and the site overall.

On a motion made by Mr. Nichols, seconded by Ms. Riley, it was voted unanimously to approve the minor modification request as a field change as shown on the plans entitled, “34-36 Exchange Street, Site Plan of Land in Millis, Massachusetts, dated March 1, 2016,” latest revision September 18, 2019 (3 sheets), prepared by Merrikin Engineering, LLP.

PROPOSED AMENDMENTS TO MILLIS ZONING BYLAWS/ZONING MAP, PUBLIC HEARING:

(1): MUNICIPAL FACILITIES OVERLAY AND ZONING MAP AMENDMENTS ARTICLE

(2): SENIOR RESIDENTIAL COMMUNITY DEV., AGE QUALIFICATIONS ARTICLE

The public hearing was opened at 9:34 p.m. with notice being read by Ms. Riley, Clerk.

Mr. McKay presented both proposed articles, stating that they are “house-cleaning issues.” He stated that the Municipal Facilities Overlay District was approved at the May 13, 2019 Town Meeting. Map 52, Parcel 3 was inadvertently omitted from the district. This is now being corrected to add this parcel and update the Millis Zoning Map to show the complete Municipal Overlay District.

Mr. McKay stated that the Senior Residential Community Development Bylaw (SRCD), Age Qualifications Amendment is proposed to set a minimum age of twenty-two (22) in considering age exemptions so as not to tax/burden the Town of Millis School System. The amended version will read as follows:

D. Age Qualifications

All SRC dwelling units shall be subject to an age restriction described in a deed, deed rider, restrictive covenant, or other document approved by the Planning

Board that shall be recorded at the Registry of Deeds or Land Court. The age restriction shall limit dwelling units to occupancy by seniors, age fifty-five (55) or older, or their spouses of any age; and provide for time-limited guest visitation rights in the range of three months per year, per visitor. The restriction, if the Planning Board so approves and specifies in its Special Permit, may authorize special exceptions that allows either one (1) person or one (1) married couple 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 a senior in ill health or enabling seniors to fulfill legal responsibilities of guardianship or custody. The Special Permit including the age restriction shall run with the land in perpetuity and shall be enforceable by any owner(s) of SRC dwelling units. 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 within the SRC, a two-year exemption to the restriction shall be allowed for the transfer of the unit to another eligible occupant.

There being no further discussion, on a motion made by Mr. Nichols, seconded by Mr. Yered, it was unanimously voted to close the public hearing on the proposed bylaw articles at 9:40 p.m.

On a motion made by Mr. McKay, seconded by Mr. Nichols, it was voted unanimously (6-0) to **recommend approval** of the **Municipal Facilities Overlay and Zoning Map Amendments** article as written for the November 4, 2019 Town Meeting.

On a motion made by Mr. McKay, seconded by Mr. Nichols, it was voted unanimously (6-0) to **recommend approval** of the **Senior Residential Community Development Bylaw: Age Qualifications Amendments** article as written for the November 4, 2019 Town Meeting.

OTHER BUSINESS:

1475/1485/1512 SELF-STORAGE FACILITY

ENDORSEMENT OF APPROVED SITE PLANS

The Board endorsed/signed the approved site plans for the Special Permit/Site Plan approved August 13, 2019, and filed with the Town Clerk on August 26, 2019.

MINUTES

On a motion made by Mr. Nichols, seconded by Mr. Yered, it was voted unanimously to approve the regular session meeting minutes from September 10, 2019, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. Nichols, seconded by Mr. Yered and voted unanimously, the meeting was adjourned at 9:45 p.m.

Scheduled Planning Board Meetings: November 12, 2019
December 10, 2019

Respectfully submitted,

Camille Standley, Administrative Assistant