



TOWN OF MILLIS

Robert Cantoreggi, *Chairman*
George Yered, *Clerk*
James McKay
Nicole Riley
Richard Nichols
Carlo Molinari, *Assoc. Member*

OFFICE OF THE PLANNING BOARD

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April 4, 2017

Received:
April 5, 2017 @
9:10 A.M.
Christina M. Spina
Asst. Town Clerk

To: Town Clerk, Town of Millis

From: Town of Millis Planning Board
Robert Cantoreggi, Chairman



Re: Public Hearing held Wednesday, March 29, 2017 at the Veterans Memorial Building to consider the Petition filed for amending the Town of Millis Zoning By-Law/Zoning Map as follows:

To see if the Town will vote to amend the Town of Millis Zoning Bylaw, Section III C, Establishment of Zoning District, in order to amend the Town of Millis Zoning Map to change the zoning district of 1280 Main Street, as shown on Assessor's Map 22, Lot 27, presently located in a split zoning district resulting in the property being zoned in part as "Industrial I-P-2" and in part as "Residential R-S", so that the entire property, consisting of approximately 23.8 acres of land, is located within the I-P-2 zoning district, to allow industrial purposes, including the use of the property for a large scale ground mounted solar photovoltaic installation. Said proposed map being on file with the Town Clerk's office; or act in any manner relating thereto. Submitted by Property Owner, Bruce A. Berry, Trustee, J&B Realty Trust.

After due notices having been published in the Milford Daily News, a newspaper of local circulation, under dates of March 9, 2017, and March 16, 2017, a public hearing was held on Wednesday, March 29, 2017 at 7:35 p.m. in Room 130 of the Veterans' Memorial Building.

Planning Board Members present: Robert Cantoreggi, Chairman
George Yered, Clerk
James McKay
Nicole Riley
Richard Nichols

Others Present: Greg Carey, Clean Energy Collective
Bruce A. Berry, 25 Cedar St.
Scott Fuzy, 15 Stony Brook Dr.
Charles Hodgman, 21 Cedar St.
Joe Ryan, 11 Cedar St.

The public hearing was opened at 7:36 p.m. with notice being read by Mr. McKay, Acting Clerk.

Mr. Greg Carey of Clean Energy Collective, representing Mr. Bruce A. Berry of J&B Realty Trust, the petitioner, provided a summary of the re-zoning petition. He stated that the majority of the acreage is zoned Industrial (I-P-2). There are 7 acres zoned Residential, he said. According to Mr. Carey, the land has always been assessed as Industrial. He stated that the land has been used exclusively for commercial and business purposes for over thirty years. Mr. Carey explained that the reason for the petition is due to a solar installation site plan application which was recently filed with the Planning Board. He stated the project, which is located on approximately 3.9 acres of the property, was initially discussed informally with the Building Inspector. At that time, they were told that the zoning on the larger portion of the property is the zoning district for the entire property, Mr. Carey said. After filing the application, they were told that "split zoning had changed" and the project requires re-zoning. Mr. Carey stated that Mr. Berry does not think Residential is a "proper use" of the property.

Mr. Carey discussed the potential financial benefits to the Town with respect to the solar installation proposed on a portion of the property. In addition to the increased real estate taxes to be generated from the property, CEC (Clean Energy Collective) would also be paying the Town Personal Property taxes for the solar array annually. He said that although not determined conclusively yet by the Assessor's Office, these taxes can be between \$10,000 and \$20,000 per year. Additionally, CEC is proposing to develop the array as a "community solar" project, therefore enabling Millis residents, businesses, and the Town of Millis to participate in the "Roofless Solar Program" and earn a 15% discount of monthly electric bills. Mr. Carey stated that this is all possible with "absolutely no capital investment or maintenance fees."

Mr. Carey stated that with respect to the potential solar use, abutter concerns, which were raised during the Planning Board public hearing February 7, 2017, were considered. He said that in addition to the 7-foot high wooden fence on the south side of the array, CEC has also agreed to provide additional landscaping buffers which will screen the fence and array. According to Mr. Carey, Mr. Berry and CEC want to "be good neighbors and will work" with the direct abutters on Cedar Street.

There was some discussion/question from those in attendance regarding the specifics on the solar array. Mr. Ryan, an abutter to the property, asked that the information regarding distances and height "is accurate." He expressed concern over the potential depreciation in value of his property/home, along with other abutters on the south side, should the re-zoning be approved for the solar facility. Mr. Cantoreggi stated that discussion of the site details will take place during the Site Plan Review Application public hearings before the Planning Board. He stated that the purpose of this hearing was to focus on the re-zoning petition.

Mr. Berry stated that he was granted a special permit in 1997 to store construction equipment on the property and could have parked the vehicles in the location proposed for the solar array. He said that he "chose the solar panels for that section" rather than having his neighbors "looking at construction equipment."

Mr. Hodgman spoke in favor of the petition stating that he is “closest” to the property and the solar use “is the most benign use for this property –it is green. I cannot see a problem with it.” Mr. Fuzy stated that he was in favor of the re-zoning as it could “potentially be a benefit to the Town” regarding the revenue.

There being no further discussion, on a motion made by Mr. McKay, seconded by Mr. Yered, it was unanimously voted to close the public hearing on the petition for proposed re-zoning of 1280 Main Street at 8:07 p.m.

At a meeting of the Millis Planning Board held on March 29, 2017, on a motion made by Ms. Riley, seconded by Mr. McKay, it was unanimously voted **to recommend approval of the petition article as written** at the annual Spring 2017 Town Meeting. Voting on this petition article was: Robert Cantoreggi, George Yered, James McKay, Nicole Riley and Richard Nichols.

Cc: Michael Guzinski, Town Administrator
Board of Selectmen
Robert Weiss
Finance Director
Finance Committee
Building Inspector
Bruce Berry/Greg Carey (via email)
File